



QUALIFI

SUCCESS THROUGH LEARNING
RECOGNISED WORLDWIDE

Qualifi Level 7 Diploma in International Business Law

Specification (For Centres)

February 2019

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About QUALIFI

QUALIFI provides academic and vocational qualifications that are globally recognised. QUALIFI's commitment to the creation and awarding of respected qualifications has a rigorous focus on high standards and consistency, beginning with recognition as an Awarding Organisation (AO) in the UK. QUALIFI is approved and regulated by Ofqual (in full). Our Ofqual reference number is RN5160.

Ofqual is responsible for maintaining standards and confidence in a wide range of vocational qualifications. QUALIFI is also a signatory to BIS international commitments of quality.

As an Ofqual recognised Awarding Organisation, QUALIFI has a duty of care to implement quality assurance processes. This is to ensure that centres approved for the delivery and assessment of QUALIFI's qualifications and awards meet the required standards. This also safeguards the outcome of assessments and meets national regulatory requirements.

QUALIFI's qualifications are developed to be accessible to all learners in that they are available to anyone who is capable of attaining the required standard. QUALIFI promotes equality and diversity across aspects of the qualification process and centres are required to implement the same standards of equal opportunities and ensure learners are free from any barriers that may restrict access and progression.

QUALIFI's policy document for learners with specific requirements or who need special consideration is available for centre reference. Centres are responsible for reviewing the applicant's ability to complete the training programme successfully and ultimately achieve a qualification. The initial assessment by the centre, will need to take into account the support that is readily available or can be made available to meet individual needs as appropriate. The centre must also consider prior learning and qualifications and they must be in a position to make a judgement on the learner's entry requirements.

Supporting Diversity

QUALIFI and its partners recognise and value individual difference and have a public duty to promote equality and remove discrimination in relation to race, gender, disability, religion or belief, sexual orientation and age.

Learner Voice

Learners can play an important part in improving the quality of this course through the feedback they give. In addition to the ongoing discussion with the course team throughout the year, there are a range of mechanisms for learners to feed back about their experience of teaching and learning. This can include questionnaires and surveys to allow both centres and QUALIFI to understand how we can improve the learner experience.

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1 Introduction

1.1 Why Choose QUALIFI Qualifications?

QUALIFI qualifications look to provide a realistic and broad opportunity for learners seeking career and professional development. They will support learners in realising their potential and provide clear objectives.

These objectives are to:

- provide career path support to learners who wish to develop their management skills, enterprise capabilities and opportunities in their chosen sector
- improve learner understanding of any given business environments and organisations and how they are managed and developed
- develop skills and abilities in learners to support their professional development.

Our qualifications provide a rich mix of disciplines and skills development opportunities. Learners will gain insight into the functioning, objectives and processes of organisations, appreciating their diversity and the influences and impact of external forces on them. The fast-changing and complex business environment and different organisational ability to stay resilient and respond positively to change and opportunities will be explored.

Our qualifications will develop learner ability to:

- apply analytical and evaluative techniques and to enhance those skills
- investigate issues and opportunities
- develop their awareness for legal framework that governs the international business transactions and associated laws within industry
- make use of relevant information from different sources
- develop and encourage problem solving and creativity to tackle problems and challenges
- exercise judgement and take responsibility for decisions and actions
- develop the ability to recognise and reflect on personal learning and improve their personal, social and other transferable skills.

1.2 Employer Support for the Qualification Development

The development of this Qualification has been initiated and guided by discussions and idea sharing with a range of employers, providers and existing centres demonstrating the rigour, validity and demand for the Qualification.

Discussions and feedback has been taken during the duration of the development of the Qualification on content, the potential Learner audience for the Qualification and assessment methods ensuring a valuable experience and recognised set of skills, knowledge and understanding are realised.

1.3 Qualification titles and codes

The Qualification has been accredited to the Regulated Qualification Framework (RQF) and each Qualification has its own unique Qualification Accreditation Number (QAN). This number will appear on the learner's final certification document. Each unit with the Qualification has its own RQF code. The QAN for these Qualification are as follows:

Qualifi Level 7 Diploma in International Business Law 603/4199/3

1.4 Awarding institution

QUALIFI LTD

2 Programme purpose

2.1 Reasons for the Qualification

The Qualification has been created to develop and reward learners with legal skills and knowledge in international business law and to continue to bring recognition and professionalism to a wide range of sectors.

We hope that centres and learners take the opportunity to learn a great deal from this programme that will provide relevant new skills and qualities. It is envisaged that this programme will encourage both academic and professional development so that your learners move forward to realise not just their own potential but also that of organisations across a broad range of sectors.

The aim of this programme is to develop legal skills, analysis, logical thinking and knowledge that can usefully be applied in further study, legal profession and public service. It provides students with understanding of law in context of business to equip them with abilities needed to work with advance issues.

This programme covers a wide range of modern issues and develops the critical, analytical and technical skills needed by learner to know how to deal with complex legal issues and make sound judgements in legal business activities. They will be able to demonstrate self-direction and originality in tackling advance legal problems and act autonomously in planning and implementing task at professional level.

2.2 Rationale for the Diploma

The rationale of the programme is to provide a career path for learners who wish to develop their care capabilities within any legal and business-related sector. The outcome of the Diploma, which is a recognised UK Qualification, is for learners to develop the skills required by organisations globally.

All QUALIFI programmes create learning that advances the thought leadership of organisations, offering conceptual and practical insights that are applicable in the companies of today and tomorrow.

The qualification will:

- prepare students for employment; and
- support a range of roles in the workplace.

The qualification provides a specialist work-related programme of study that provides breadth and depth of knowledge and understanding, along with practical skills required across a number of generic sectors. Learners can progress into or within employment, either directly on achievement of the award or following further study to Qualifi Level 8 Diploma in Strategic Management or a master degree level.

2.3 Aims of the Diploma

The aim of this qualification is to develop legal skills, analysis, logical thinking and knowledge that can usefully be applied in further study, legal profession and public service. It provides learners with an understanding of law in context of business to equip them with abilities needed to work with advance issues.

This qualification covers a wide range of modern issues and develops the critical, analytical and technical skills needed by senior management staff. Moreover, Level 7 Diploma in International Business Law offers and provides careers related guidance and support to postgraduate students which are:

- Positive, constructive and helpful
- Practical
- Realistic
- Impartial and client centred
- The Level 7 Diploma in International Business Law is a respected qualification and honoured as a valid pathway toward the LLM degree.

The Level 7 Diploma in International Business Law aims to give learners the opportunity to:

1. Gain a recognised qualification from an internationally recognised awarding organisation.
2. Learn from a curriculum supported by the most recent content relevant to a contemporary legal framework in the global business environment.
3. Develop new skills and knowledge that can be immediately applied.
4. Prepare for higher-level positions in legal career through personal and professional development as a leader who thrives in complex and globally diverse environments
5. Have assessments marked and moderated by respected professionals with practical experience across a number of business and legal sectors and management fields
6. Be supported by a digital online platform and develop a personalised e-portfolio to improve the transparency and portability of the qualification
7. Progress along a pathway to gain a higher level qualification

2.4 Learning Outcomes of the Diploma

The overall learning objectives of the Diploma are:

1. To understand wide ranges of subjects in the international business law
2. Develop an understanding for legal framework that governs the international business transactions within industry
3. Demonstrate an understanding of the commercial trust law, company law, international trade law, intellectual property law, and law of financial crimes in the international business
4. Develop research skills and ability to write on key areas in international business law.
5. Select, collate, review and analyse information from a wide range of sources
6. Work independently and as part of a team
7. Manage one's own personal development and growth

These are the overall learning outcomes in line with post graduate programmes. The learning outcomes for each module are identified in the unit descriptors.

3. Delivering the qualifications

3.1 Quality Assurance Arrangements

All centres go through an approval process to be recognised as an approved centre. Centres must have in place qualified and experienced tutors. The experience of tutors and their ability to support Learners will be important. Centres must commit to working with QUALIFI and its team of Quality Reviewers/External Verifiers. Continuing professional development (CPD) for tutors is also required.

Approved Centres will be monitored by QUALIFI External Quality Reviewers (EQAs) to ensure that Learners are provided with appropriate learning opportunities and guidance. EQA's will ask to see and discuss a Centre's formative assessment plans. The suitability of plans will be agreed with the Centre.

QUALIFI's guidance on invigilation, preventing plagiarism and collusion will apply to centres. QUALIFI Quality Reviewers/External Verifiers will monitor Centre's compliance. For assessment purposes QUALIFI can:

- appoints assignment setters, markers and moderators;
- sets and agrees assignments;
- marks and moderate's assignments;
- agrees the final mark and issues certificates.

QUALIFI's 'Handbook on Guidance and Requirements for Assessment and Marking' will apply to its assignment setters, markers and moderators.

3.2 Access to study

All students should be invited to an induction event to be introduced to the programme in detail through presentations and discussions with lecturers and the centre support team.

All students should be issued with the diploma handbook, a timetable and meet with their personal tutor and fellow students. Centres should assess students carefully to ensure that they take the right Qualification and the right pathways or optional units, to allow them to progress to the next stage.

Centres should check the Qualification structures and unit combinations carefully when advising students. Centres will need to ensure that students have access to a full range of information, advice and guidance in order to support them in making the necessary Qualification and unit choices. When students are recruited, you need to give them accurate information on the title and focus of the Qualification for which they are studying.

All students must be registered with QUALIFI within 30 days of centre registration.

3.3 Entry criteria

Qualifi Level 7 Diploma in International Business Law:

The Qualifications have been designed to be accessible without artificial barriers that restrict access and progression. Entry to the Qualifications will be through centre interview and the candidates will be expected to hold the following:

- Learners who possess Qualifications at Level 6 and/or;
- Learners who have work experience in legal sector and/or;
- Learners who possess a level 6 qualification in another discipline and want to develop their careers in business.

In certain circumstances, students with considerable experience but no formal Qualifications may be considered, subject to interview and being able to demonstrate their ability to cope with the demands of the programme.

In the case of applicants whose first language is not English, then IELTS 5 (or equivalent) is required. International Qualifications will be checked for appropriate matriculation to UK Higher Education post-graduate programmes. The applicants are normally required to produce two supporting references, at least one of which should preferably be Academic.

4 Structure of the Qualification

4.1 Units, credits and Total Qualification Time (TQT)

Qualifi Level 7 Diploma in International Business Law is a Level 7 Qualification made up of 120 credits.

All units are 20 credits in value. These units have been designed from a learning time perspective, and are expressed in terms of **Total Qualification Time (TQT)**. TQT is an estimate of the total amount of time that could reasonably be expected to be required for a student to achieve and demonstrate the achievement of the level of attainment necessary for the award of a Qualification. TQT includes undertaking each of the activities of Guided Learning, Directed Learning and Invigilated Assessment. Each 20-credit unit approximates to a TQT of 200 hours incorporating 80 hours of GLH.

Examples of activities which can contribute to Total Qualification Time include:

- Guided Learning
- Independent and unsupervised research/learning
- Unsupervised compilation of a portfolio of work experience
- Unsupervised e-learning
- Unsupervised e-assessment
- Unsupervised coursework
- Watching a pre-recorded podcast or webinar
- Unsupervised work-based learning.

Guided Learning Hours (GLH) are defined as the time when a tutor is present to give specific guidance towards the learning aim being studied on a programme. This definition includes lectures, tutorials and supervised study in, for example, open learning centres and learning workshops. Guided Learning includes any supervised assessment activity; this includes invigilated examination and observed assessment and observed work-based practice.

Some examples of activities which can contribute to Guided Learning include:

- Classroom-based learning supervised by a tutor
- Work-based learning supervised by a tutor
- Live webinar or telephone tutorial with a tutor in real time
- E-learning supervised by a tutor in real time
- All forms of assessment which take place under the immediate guidance or supervision of a tutor or other appropriate provider of education or training, including where the assessment is competence-based and may be turned into a learning opportunity.

4.2 Qualification structures

The overall structure of the course is based on seven modules that cover a number of topics relating to learning outcomes. Each unit has the equivalency of 20 credits. Learners are required to complete only six units to achieve the Level 7 Diploma in International Business Law.

Learners must complete six units successfully and achieve 120 credits before the Diploma can be issued. Total Qualification Time (TQT) to complete the full qualification is 1200 hours. While, Guided Learning Hours (GLH) refers to the amount of study undertaken by learners under the direction of their tutors and it includes tutorials, seminars, workshops, directed research, project or assignment.

It is expected that a learner will need to complete following TQT against each unit to complete the full Level 7 Diploma in International Business Law.

Unit Reference	Units	Level	TQT	Credits
IBL701	International Trade Law	7	200	20
IBL702	Commercial Trust Law	7	200	20
IBL703	Industrial and Intellectual Property Law	7	200	20
IBL704	Law of Financial Crimes	7	200	20
IBL705	Company Law	7	200	20
IBL706	Legal Research and Research Methods	7	200	20
IBL707	Corporate Governance – Principles and Practices	7	200	20

4.3 Progression and links to other QUALIFI programmes

Learners completing the **Qualifi Level 7 Diploma in International Business Law** will allow progress to:

- the QUALIFI Level 8 Strategic Management and Leadership, or
- LLM with the associated partner University; or
- directly into employment in an associated profession.

4.4 University exemptions

The pathways are an indication of the student's progress toward a University degree and is based on the University's review of QUALIFI's learning programmes and outcomes. Further information is available here <http://www.QUALIFI.net/learning-pathways/>

4.5 Recognition of Prior Learning

Recognition of Prior Learning (RPL) is a method of assessment (leading to the award of credit) that considers whether students can demonstrate that they can meet the assessment requirements for a unit through knowledge, understanding or skills they already possess, and so do not need to develop through a course of learning.

QUALIFI encourages centres to recognise students' previous achievements and experiences whether at work, home or at leisure, as well as in the classroom. RPL provides a route for the recognition of the achievements resulting from continuous learning. RPL enables recognition of achievement from a range of activities using any valid assessment methodology. Provided that the assessment requirements of a given unit or Qualification have been met, the use of RPL is acceptable for accrediting a unit, units or a whole Qualification.

Evidence of learning must be valid and reliable. For full guidance on RPL please refer to the QUALIFI's policy document on RPL.

5 Guidance to Teaching and Learning

To ensure consistency and quality of delivery amongst centres, QUALIFI has outlined a number of policies and procedures required to ensure the very best standards are available to learners. These include:

- expertise of staff
- learning and teaching methods
- study skills
- learning resources
- personal development planning
- career opportunities.

The policies and procedures are available on request to all accredited centres or to those wishing to apply for accreditation to deliver QUALIFI qualifications.

6 Learner Support

Centres should continue to support learners and encourage appropriate behaviour. To ensure consistency and quality of delivery amongst centres QUALIFI, has outlined a number of policies and procedures to ensure the very best standards are available to learners. These include:

- learners with disabilities
- health and safety
- conduct
- progression
- weekly timetable/attendance requirements.

The policies and procedures are available on request to all accredited centres or to those wishing to apply for accreditation to deliver QUALIFI qualifications.

6.1 Data Protection

All personal information obtained from learners and other sources in connection with studies will be held securely and will be used during the course and after they leave the course for a variety of purposes. These should be all explained during the enrolment process at the commencement of learner studies. If learners or centres would like a more detailed explanation of the partner and QUALIFI policies on the use and disclosure of personal information, please contact QUALIFI via email support@QUALIFI-international.com

7. Assessment

This qualification is vocational as it can support a learner's career progression. To meet QUALIFI's aim to provide an appropriate assessment method each unit will be assessed through tasks that will be written in a way to make them realistic 'work-related' tasks wherever possible. Learners will need to demonstrate knowledge, understanding and. Original thought, problem solving and recommendations on actions will also be asked for from learners where appropriate for the unit. Intellectual rigour will be expected appropriate to the level of the qualification.

Assignments will contain a question strand for each of the given unit's learning outcomes. The assignment tasks will address the LO (learning outcome) and AC (assessment criteria) requirements. Within assignments there will always be requirements for learners to engage with important and relevant theory that underpins the subject area.

The assignment questions will require learners to draw on real organisations to illustrate their answers. To support this activity during the programme of learning, centres are required to make sure that they include case studies of relevant organisations and, wherever possible, facilitate in-company opportunities for learners to undertake research and investigation projects and/or support the organisation with various tasks. Mature and part-time learners will ideally be able to draw on their personal work experience too.

Sample assessments and marking scheme are available on request as part of the Qualification Specification supplied to centres.

QUALIFI has an assessment policy and procedure documents that are available to all centres delivering this qualification. QUALIFI's 'Handbook on Guidance and Requirements for Assessment and Marking' covers the following:

- assessment strategy
- assessment arrangements for learners with a disability
- verification
- marking scheme/pass mark
- deferral after valid mitigating circumstances
- referral after failure
- dealing with difficulties in meeting assessment deadlines
- late submissions
- assessment boards
- appeals
- cheating and plagiarism
- referencing
- confidential material
- submission.

8. Course Regulations

8.1 Course Requirements

Learners must complete all units and pass the appropriate mark to receive the full Diploma.

QUALIFI will issue certificates to all successful learners through the registered centres.

8.2 Classification of Awards

Where a candidate has achieved an overall average mark of at least 80% from all the units, QUALIFI may award a Distinction, although offering such a grade to individual candidates is at the discretion of QUALIFI, and is not normally given after any successful referral attempts.

Decisions about the overall classification of awards are made by QUALIFI through the application of the academic and relevant course regulations. It is based on the Average Percentage Mark (APM) or, at the discretion of QUALIFI, on the basis of your overall profile and performance subject to the minimum requirements.

8.3. Learner Voice

Learners can play an important part in improving the quality of this course through the feedback they give. In addition to the ongoing discussion with the course team throughout the year, there is a range of mechanisms for learners to feed back about their experience of teaching and learning.

8.4 Complaints

QUALIFI recognises that there may be occasions when learners and centres have cause for complaint about the service received. When this happens, the complaints procedure is intended to provide an accessible, fair and straightforward system that ensures as an effective, prompt and appropriate response as possible.

For more information on our formal complaints procedure please contact in the first instance or email: support@QUALIFI-international.com

9 Equality and Diversity

QUALIFI recognises that discrimination and victimisation are unacceptable and that it is in the interests of QUALIFI employees to utilise the skills of the total workforce. It is our aim to ensure that no employee or other representative of QUALIFI receives less favourable facilities or treatment (either directly or indirectly) in recruitment or employment on grounds of age, disability, gender/gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex, or sexual orientation (protected characteristics).

Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give their best. We oppose all forms of unlawful and unfair discrimination or victimisation. To that end the purpose of this policy is to provide equality and fairness for all.

Our staff will not discriminate directly or indirectly, or harass customers or clients because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation in the provision of QUALIFI's goods or services.

This policy and the associated arrangements shall operate in accordance with statutory requirements, particularly the Equality Act 2010 <https://www.gov.uk/equality-act-2010-guidance>. In addition, full account will be taken of any guidance or codes of practice issued by the Equality and Human Rights Commission, any government departments, and any other statutory bodies.

The policy document will be monitored and reviewed annually and can be downloaded from our website or by making contact with QUALIFI.

10. Further Professional Development and Training

QUALIFI supports UK and international customers with training related to our qualifications. This support is available through a choice of training options offered through publications or through customised training at your centre.

The support we offer focuses on a range of issues including:

- planning for the delivery of a new programme
- planning for assessment and grading
- developing effective assignments
- building your team and teamwork skills
- developing student-centred learning and teaching approaches
- building in effective and efficient quality assurance systems.

You can request customised training through your registered centre in the first instance. If you need to contact QUALIFI directly:

Our customer service number: +44 (0) 115 8882323

Or email: support@QUALIFI-international.com

Website: www.QUALIFI.net www.QUALIFI-international.com

Appendices

Appendix 1: Unit Descriptors

Unit IBL701: International Trade Law

Unit Code: K/617/4822

RQF Level: 7

Unit Aims

International Trade Law offers a comprehensive and informed analysis of the complexities of an international sale transaction through case law, policy documents, legislation, international conventions and rules adopted by international organisations. In this unit, learners will be able to understand international sales transaction, environmental analysis while doing international trade, legal issues and financial forecasting process.

Learning Outcomes and Assessment Criteria

Learning Outcomes: To achieve this unit the learner must be able to:	Assessment Criteria: Assessment of these outcomes demonstrates the learner can:
1. Critically explain the concept of strategic trade, environmental competition and preferential trade arrangements in the international trade.	<ul style="list-style-type: none">1.1. Explain the role of international competition policy for environmental regulations and strategic environmental protection for any organisation doing trade globally.1.2. Explain the concept of classical theory of distortions to measure trade barriers1.3. Critically describe types and rationales for preferential agreements.1.4. Critically explain the economic bases of the rules and principles of the GATT.
2. Evaluate the underlying principles, practices, rules and regulation of international sales contracts.	<ul style="list-style-type: none">2.1. Assess constitutes for the contract for Sales of goods and products.2.2. Assess the rights and obligations imposed under international sales contracts.2.3. Evaluate the validity of rights and obligation of international sales contracts.2.4. Evaluate the implications of making international contract online.
3. Assess various issues associated to an organisation trading globally.	<ul style="list-style-type: none">3.1. Identify various types exchange rate, regulatory and legal associated to an organisation trading at an international level.3.2. Critically assess legal rules relating to the financing of international sales.

Indicative Contents

- International Competition Policy
- Environmental Regulations and Strategic Environmental Protection
- Classical Theory of Distortions
- Preferential Agreements
- Rules and Principles of the General Agreement on Tariffs and Trade (GATT)
- Contract for Sales of Goods and Products
- International Sales of goods contract (buyer & selling duties, remedies, issues, risks and associated regulations)
- UK, EU and International Directives on Certain aspects of Consumer Goods and Associated Guarantees

Recommended Text:

International Trade Law
Carr, Indira; Stone, Peter 2017
Milton: Routledge 2017

Law of International Trade
4th Edition
Practice Area: International Trade
ISBN: 9781847033444
Author: Dr Jason Chuah
Published by Sweet & Maxwell, 02 Apr 2009

John F. Wilson, Carriage of Goods by Sea (London: Longman, 1208), ISBN: 781405846691

International Trade Theory, Strategies and Evidence
Luis A. Rivera-Batiz, Maria-Angels Olivia
ISBN: 9780198297116
Oxford University Press

Ambrosini, V with Johnson, G and Scholes, K (1998) Exploring Techniques of Analysis and Evaluation in Strategic Management, Prentice Hall Europe.

International Business: Strategy, Management, and the New Realities
Tamer Cavusgil, Gary Knight and John Riesenberger
ISBN-10: 0131738607 ISBN-13: 9780131738607
Prentice Hall, 2008

Unit IBL702: Commercial Trust Law

Unit Code: M/617/4823

RQF Level: 7

Unit Aims

This unit explores the law of trusts in the international context, comparing doctrine in different jurisdictions and exploring the theoretical implications of such differences.

Learning Outcomes and Assessment Criteria

Learning Outcomes: To achieve this unit the learner must be able to:	Assessment Criteria: Assessment of these outcomes demonstrates the learner can:
1. Evaluate the basic principles of Equity as a part of English System of Law.	1.1. Explain the mechanics of creating express trust including rights of beneficiaries. 1.2. Distinguish different types of trust with analysis of nature of respective rights and obligations of the parties to the trust
2. Analyse the way trusts are used in commercial transactions and issues are dealt according to the norms of contract and trusts law.	2.1. Explain the particular context of commercial transaction into contract with trusts law and equity 2.2. Demonstrate the interactions between contract law and trusts law and explain how trusts are not bound up with contract. 2.3. Critically analyse how trustees limit their liabilities including a provision in their contract of appointment and exclude liability for a range of defaults

Indicative Content

- Principles and nature of equity
- Types of trust
- Rights and obligations of the parties to the trust
- Commercial transactions
- Contract law and trusts law
- Trusts implied by law (Resulting and constructive trusts)
- Contract terms and their interpretations
- Trustee contract of appointment, liabilities and breach
- Equitable remedies

Recommended Text

Hudson, A., 2016. Principles of Equity and Trusts, London: Routledge.

Virgo, G., 2016. The principles of equity & trusts Second.

Blackstone's Statutes on Commercial & Consumer Law 2018-2019 by Francis Rose

Trustee Act 2000

http://www.legislation.gov.uk/ukpga/2000/29/pdfs/ukpga_20000029_en.pdf

Recognition of Trust Act 1987

<http://www.legislation.gov.uk/ukpga/1987/14/contents>

Financial Services and Markets Act 2000

http://www.legislation.gov.uk/ukpga/2000/8/pdfs/ukpga_20000008_en.pdf

Unit IBL703: Industrial and Intellectual Property Law

Unit code: T/617/4824

RQF Level: 7

Unit Aims

The aim of this unit is to introduce learners to knowledge, ability and critical understanding of regulatory and legislative requirements relating to industrial and Intellectual property laws.

Learning Outcomes and Assessment Criteria

Learning Outcomes: To achieve this unit the learner must be able to:	Assessment Criteria: Assessment of these outcomes demonstrates the learner can:
1. Evaluate the underlying rules relating to intellectual property laws.	<ul style="list-style-type: none">1.1 Interpret the term '<i>intellectual property</i>' and explain how the subject matter protected by intellectual property rights.1.2 Identify different types of intellectual property and laws associated with them.1.3 Critically analyse the impacts of intellectual property on public interest.1.4 Explain issues relating to the breach of confidential information in the intellectual property.
2. Evaluate the associated laws and procedures relating to copyright and trademark.	<ul style="list-style-type: none">2.1. Explain the underlying principles of copyright.2.2. Interpret trademark and its various elements to protect words and symbols2.3. Evaluate the forms of copyright laws in UK, Europe and at international level.2.4. Explain the framework of trademark law as operated in UK, Europe and internationally with reference to Trademark Law Treaty and Community Trademark System.2.5. Evaluate limits, enforcement and infringement of copyright and trademark.
3. Analyse the forms of industrial property rights including patents and utility models for inventions, industrial designs, trademarks and geographical indications.	<ul style="list-style-type: none">3.1. Critically analyse the justifications for intellectual property.3.2. Provide sanctions for misuse of intellectual property including civil and criminal remedies.3.3. Explain law of industrial designs3.4. Explain legal and administrative mode to apply for or to deal with infringement of industrial property rights.

3.5. Explain the UK law national registered design right and an unregistered design right system

Indicative Content

- Intellectual property
- Types of intellectual property and laws associated with them
- impacts of intellectual property on public interest
- issues relating to the breach of confidential information
- Copyright definition, protection and associated laws
- Trademark definition and the frameworks in UK, Europe and in the world
- Limits, enforcement and infringement of copyright and trademark
- Sanctions of breach/misuse instinctually property - civil and criminal remedies.
- Patents scope, rights, types, registration and applicable laws

Recommended Text

DAVIS, J. (2012). Intellectual property law. Oxford, U.K., Oxford University Press.

CAENEGEM, W. V., & CAENEGEM, W. V. (2015). Intellectual and Industrial Property Law. Chatswood, LexisNexis Butterworths.

Intellectual Property Law: Commercial, Creative and Industrial Property, 2006
By Jay Dratler, Jr., Stephen M. McJohn

The Registered Designs Act, 1949 as amended

Copyright, Designs and Patents Act 1988

Unit IBL704: Law and Financial Crimes

Unit code: A/617/4825

RQF Level: 7

Unit Aims

This unit aims to introduce learners to knowledge, ability and critical understanding of compliance requirements in the financial services and market, fraud, corruption, money laundering, terrorism, and theft laws. Learners will be introduced to current debates, theories and legal practices in the law of financial crimes such as statutory framework in the financial services regulations and capital market, fraud and theft act, and criminal law regulations.

Learning Outcomes and Assessment Criteria

Learning Outcomes: To achieve this unit the learner must be able to:	Assessment Criteria: Assessment of these outcomes demonstrates the learner can:
1. Explicate concepts of insider dealing and market abuse that damage the interests of ordinary market participants and justify applicable legal regulations to deal with the financial crimes.	<ol style="list-style-type: none">1.1. Explain civil offence according to the Financial Services and Markets Act 2000 and identify sources of law on insider dealing.1.2. Compare the statutory frameworks and EC context on dealing with insider dealing and market abuse.1.3. Analyse the general offences of financial crimes under Financial Services and Markets Act 2000, Fraud Act 2006 and Theft Act 1968.1.4. Justify how the market abuse regulation sand powers of regulators act decisively against insider dealing and related financial frauds.
2. Assess the money laundering regulations on businesses and its international dimensions.	<ol style="list-style-type: none">2.1. Explain the purpose of money laundering regulations.2.2. Evaluate the international dimensions of money laundering regulations.2.3. Outline the background of proceeds of Crime Act 2002 and explain offences under its provisions.2.4. Assess the consequences of money laundering on the society.
3. Research and explain the nature of law on financial crime.	<ol style="list-style-type: none">3.1. Explain historic and economic context of general provisions of law on money laundering, terrorist financing, corruption.3.2. Identify the EC Market Abuse Directive to control market manipulation and abusive practices.

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| <p>3.3. Explain the role of criminal law in supporting financial regulations in United Kingdom.</p> <p>3.4. Critically analyse civil recovery in context of financial crimes.</p> |
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Indicative Content

- Nature and characteristics of Financial Crimes
- The misuse and abuse of the corporate form
- Financial Services and Markets Act on insider dealing
- Offences of financial crimes under Financial Services and Markets Act 2000, Fraud Act 2006 and Theft Act 1968.
- Money laundering regulations
- Proceeds of Crime Act 2002 and explain offences under its provisions
- Terrorist financing and corruption
- EC Market Abuse Directive
- Criminal law in supporting financial regulations in the UK and the civil recovery

Recommended Text

HARRISON, K., & RYDER, N. (2017). The law relating to financial crime in the United Kingdom. London, Routledge.

RIDER, B. A. K. (2015). Research handbook on international financial crime.

SOUSTER, R. (2013). Financial crime and money laundering. Cranbrook, Kent, Global Professional Publishing

Financial Services and Markets Act 2000
Money Laundering Regulations 2007
The Proceeds of Crime Act 2002
The Terrorism Act 2000
Fraud Act 2006
Theft Act 1968
EC Market Abuse Directive

Unit IBL705: Company Law

Unit code: F/617/4826

RQF Level: 7

Unit Aims

This unit aims to provide information to learners about English Law of registered companies including both private and public limited companies. By the end of this unit, learners will be able to appreciate the role of the company as a form of business enterprise and how it functions within the business world.

Learning Outcomes and Assessment Criteria

Learning Outcomes: To achieve this unit the learner must be able to:	Assessment Criteria: Assessment of these outcomes demonstrates the learner can:
1. Evaluate and assess legal issues of companies through the analysis of characteristics, incorporation, functions and regulatory frameworks.	<ul style="list-style-type: none">1.1. Analyse the characteristic of the sole trader, partnership, public and private companies.1.2. Evaluate different function of EU companies.1.3. Evaluate regulatory frameworks of incorporation of UK and EU companies.1.4. Assess the policy issues that arise regarding the regulation of companies in the UK and Europe.
2 Critically assess the rights and obligations of shareholders and directors.	<ul style="list-style-type: none">2.1 Describe rights of shareholders in public and private limited companies.2.2 Identify the legal nature, roles, powers and liabilities of shareholders and directors towards the company.2.3 Assess the consequences to the breach directors' duties in the company law.2.4 Assess the directors' responsibilities to creditors of the company in the financial distress.
3 Know the legal procedure relating to the corporation liquidation.	<ul style="list-style-type: none">3.1 Evaluate the role of the auditor.3.2 Outline winding up processes and dissolution including powers and duties of the liquidator.3.3 Assess the priority of creditors in a winding up process3.4 Describe the role of licensed Insolvency Practitioners for advice on corporate insolvency

Indicative Content

- Characteristic of the sole trader, partnership, public and private companies
- Functions and regulatory framework of Company Law
- Theories and policy issues of the Company and Corporate Objective
- Directors' Duties
- Derivative actions and Minority Shareholder Remedies
- Rights of shareholders
- The Company's Constitution
- Directors' responsibilities to creditors
- Corporate Governance
- Legal procedure relating to the corporation liquidation

Recommended Text

Company Law, 2008
Tom Mortimer, Sheila Byrne

Pettet's Company Law and Corporate Finance J. Lowry and A. Reisberg (Harlow, Longman, latest ed)

Practical Company Law and Corporate Transactions, 3rd Edition by Mark Stamp; Matthew Elliott; Tom Jagers; Daniel Simons; Tom Watkins; Jeremy Kutner; James Offord; Jo Windsor
Published by: Sweet & Maxwell

Unit IBL706: Legal Research and Research Methods

Unit code: J/617/4827

RQF Level: 7

Unit Aims

This course aims to improve the necessary legal research skills to support learners at the postgraduate level. You will be able to develop key knowledge, understanding and skills relating to legal research, theoretical and methodological problems associated with legal studies. Learners will be able to cover key topics relating to research problem, conducting literature reviews, referencing, data collection and analysis techniques, and drawing conclusions from the analysed data.

This unit also deals with principles of research including formulations of research questions, hypothesis and objectives. The unit will cover literature reviews, referencing, data collection using interviews and surveys, questionnaire design, analysing and developing statistical modules, qualitative data analysis inferences and conclusions from the analysed data.

Learning Outcomes and Assessment Criteria

Learning Outcomes: To achieve this unit the learner must be able to:	Assessment Criteria: Assessment of these outcomes demonstrates the learner can:
1 Develop the criteria and approaches to conduct a legal research.	1.1. Identify the criteria to conduct a legal research. 1.2. Outline key issues in the proposed research. 1.3 Recognise the implications of the tension between different research methodologies. 1.4 Assess the diversity of research methods used in socio-legal studies. 1.5 Critically identify ethical dimensions, strengths and criticisms of socio-legal approaches. 1.6 Critically assess features of the black-letter approaches to doctrinal legal research.
2. Perform a literature review, apply research techniques, gather and analyse data to complete a research study.	2.1 Conduct literature review and complete research proposal. 2.2 Select a suitable research technique to analyse data. 2.3 Use research tools to gather and analyse data. 2.4 Present conclusion and justify your research.

<p>3 Analyse the quality issues associated with data handling.</p>	<p>3.1 Assess the legal and ethical consideration of data management, copy right, reciprocity and trust and conflict of interest while conducting research.</p> <p>3.2 Analyse the use of bibliography and referencing systems to assure quality of data handling.</p>
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Indicative Content

- Doctrinal research - researching the law/jury,
- Issues and criteria to conduct a legal research
- Socio-legal studies (exploring decision making of magistrates and juries)
- Writing the Research proposal
- Research methods
- Research tools to gather, presentation and analyses of data
- Legal, assure quality and ethical consideration of data management, copyright and confidential information

Recommended Text

SCHWEPPE, J. (2016). Legal research methods - principles and practicalities.

McConville, M. and Hong Chui, W. (2007), Introduction and Overview in Research Methods for Law, Edinburgh University Press

Bryman, A. and Bell. E. (2007), Business Research Methods, 2nd Edition, Oxford University Press

Blaxter, L, C Huges & M Tight, How to Research (Buckingham: Open University Press), ISBN: 0-335-19452-4

Clinch, P. Using law library: as student's guide to legal research skills (London: Blackstone). ISBN 1-84174-029-2

Bryman, A. (2008), Social Research Methods, 3rd Edition, Oxford University Press.

Unit IBL707: Corporate Governance – Principles and Practices

Unit code: L/617/4828

RQF Level: 7

Unit Aims

The aim of this unit is to develop learners' understanding, knowledge, and skills relating to the role of governing body, principles of corporate governance, various models and theories affecting corporate governance development, management functions, development of governance codes, principles and benefits of good governance.

Learning Outcomes and Assessment Criteria

Learning Outcomes: To achieve this unit the learner must be able to:	Assessment Criteria: Assessment of these outcomes demonstrates the learner can:
1. Evaluate the system of corporate governance to direct and control any organisation.	<ul style="list-style-type: none">1.1. Define the Corporate Governance and its link to the organisation.1.2. Identify the general governance structure of the organisation.1.3. Assess the role of governing body to direct and control the organisation.1.4. Distinguish the role of management and the governing body.1.5. Describe how can an organisation achieve good governance
2. Analyse the rules and regulations of the Governing Body Code.	<ul style="list-style-type: none">2.1. Identify different corporate governance codes to achieve good governance at the senior management level.2.2. Describe similarities and differences of various theories affecting corporate governance development.2.3. Identify ways to minimise conflicts of interest.2.4. Identify how to develop a transparency, accountability, direction and control in the system and processes of the organisation.

Indicative Content

- Corporate governance history, origin, developments
- Separation of ownership from operations
- New frontiers of corporate governance
- The scope of corporate governance
- Constitution of corporate governance
- Corporate governance and management - Corporate Codes
- Theories and philosophies of Corporate Governance (agency, transactions, stewardship, resource dependency, psychological and organisational perspectives, enlightening shareholder, stakeholder philosophy and systems theory)
- The Governance partnership - investors, companies and directors
- Regulatory frameworks in the UK, EU and USA
- Good Governance principles, models and processes

Recommended Text

FARRAR, J. H., & HANRAHAN, P. F. (2017). Corporate governance.

TRICKER, R. I. (2015). Corporate governance: principles, policies, and practices.

MALLIN, C. A. (2007). Corporate governance. Oxford, Oxford Univ. Press.

Useful Links

<https://www.frc.org.uk/directors/corporate-governance-and-stewardship/uk-corporate-governance-code>

<https://www.universitychairs.ac.uk/wp-content/uploads/2015/02/Code-Final.pdf>

<http://www.ecgi.org/codes/>

<https://www.corpgov.net/2010/05/corporate-governance-principles-and-practices/>