



INTERNATIONAL
HELLENIC
UNIVERSITY

Student Handbook 2022-2023

LLM in Transnational and European Commercial Law, Banking Law, Arbitration/Mediation



University Center for
International Programmes of Studies

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THE INTERNATIONAL HELLENIC UNIVERSITY

Introduction

The International Hellenic University (IHU) is Greece's first public university where all programmes are taught in English. Established by Law No. 3391 October 2005, the IHU offers postgraduate degrees in three Schools: Humanities, Social Sciences and Economics, Science & Technology.

Our Mission

Our strategic mission is threefold:

- Provide research and education that meets the needs of the international community
- Enhance understanding of the economic, socio-political and technological issues facing the societies we serve, through teaching and research of the highest academic standard
- Create a truly international and diverse student and faculty community to foster greater understanding between cultures and nations.

Academic Management

The IHU Governing Board is the overall body governing the operation of the University in accordance with respective legislation and its own internal regulations. Together with the responsibility for overall educational and research policy and the University's development strategy, the Governing Board is also ultimately responsible for all administrative or organisational matters of the University. Upon approval by the Governing Board, all proposals for postgraduate study programmes are submitted by the same to the Ministry of Education & Religious Affairs.

The General Assembly of the Humanities, Social Sciences and Economics is responsible for all academic and administrative matters. It is responsible for drafting and submitting proposals for postgraduate study programmes, appointing advisory committees, examination committees, the award of postgraduate degrees, selection or examination of prospective postgraduate students and for any other matter foreseen in the respective legislation. In the case of interdepartmental Postgraduate Study Programmes, the Special Interdepartmental Committee (S.I.C.) has the same powers as the General Assembly and is comprised of members of the corresponding General Assemblies.

A Programme Coordinating Committee is responsible for monitoring and coordinating the operation of each respective postgraduate programme. It reports to the General Assembly of the School.

The Programme Director, assisted and deputized by the Assistant Director, is responsible for promoting the effective implementation of the postgraduate study programme. The Programme Director reports to the General Assembly of the School on all issues regarding the effective operation of the programme.

The Student- Staff Liaison Committee is part of the School's quality control mechanism. Its purpose is to

ensure good communication with the students on your programme of study and to identify areas where improvements could be made. The students will elect three members as class representatives. The student reps will meet at least once per term with the Programme Director and members of the faculty. The meetings are informal in style but all issues raised are taken seriously and responded to. The course office produces minutes of each meeting which are then sent to all members of the class. Students will be informed of actions taken by the School to resolve any issues raised at SSLC meetings. The student representatives have the chance, upon request, to meet with the President of the Governing Board of the University Center of International Programmes of Studies.

Please note that in addition, all students participate in the evaluation of their courses and programme by completing and submitting the respective Course Evaluation Forms and the IHU Exit Questionnaire.

PART I: The LLM in Transnational and European Commercial Law, Banking Law, Arbitration/Mediation

Aims and Objectives

The International Hellenic University (IHU) LLM in Transnational and European Commercial Law, Banking Law, Arbitration/Mediation is designed to offer recent graduates a thorough understanding of theory and practice in the area of commercial law, from a transnational and European point of view. The study of Alternative Dispute Resolution (ADR) is another major feature of the programme. The 18-month programme provides graduates with a key set of skills and the real-world knowledge crucial to achieving success in their chosen career.

Upon completion of the LLM in Transnational and European Commercial Law, Banking Law, Arbitration/Mediation, students will gain:

- a thorough and comprehensive grasp of the principles and applications of transnational commerce and ADR, together with enduring technical and conceptual skills
- a focus on strategic issues across various industry sectors
- a genuinely international, multicultural perspective with a global focus
- a highly flexible qualification suitable for a wide range of career openings in many sectors
- an appreciation of contemporary industry issues and challenges facing global institutions
- excellent opportunities for networking

The IHU LLM in Transnational and European Commercial Law, Banking Law, Arbitration/Mediation programme promotes learning and teaching characterised by a diversity of resources and teaching styles and techniques which recognise that the University operates in an ever-changing environment. Teaching and learning methods should assist the development of these skills by encouraging not merely the capacity for abstract reasoning but also the students' capacities for independent and self-motivated learning, problem-solving skills, and some of the knowledge and skills which are common to employment in many fields.

The traditional lecture supported by PowerPoint and lecture notes continues to be the principal method of delivery. However, classes will be supported by comprehensive e-learning material.

Lecturing emphasises interactive activities, making full use of the University facilities. The methods chosen reflect the needs of the students, the aims and target learning outcomes of the programme or the individual course and the resources available. Learning, teaching and assessment methods are regularly reviewed. Theory, understanding and information are imparted through problem solving and class discussions. Students also learn through reading relevant literature. Coursework and assignments (individual and in small groups) develop the ability of students to solve problems. Projects allow the students to study a subject in some depth, working more independently where possible. Group projects are also used, which help develop team-working skills. Teaching and learning methods include the opportunity for students to apply their knowledge and expertise to problems beyond those generally encountered. Higher skills are fostered and encouraged. Students are expected to spend at least an equivalent amount of time working on their own, going through their notes and studying suggested textbooks and specialist readings as well as making use of the support provided through e-learning materials.

Programme Structure

The LLM in Transnational and European Commercial Law, Banking Law, Arbitration/Mediation is a one-year programme comprised of four parts over three semesters. It is taught both in full-time and in part-time mode, mainly during weekends over three teaching periods. The first two teaching periods cover the core courses of the programme. In the third teaching period, students attend their chosen four elective courses. The fourth period is taken up with work on the Dissertation.

Description	Hours	Credits
11 Core Courses	274	54
2 Elective Courses	32	6
Dissertation		30
Total Taught Hours	306	90

The Core Curriculum and Electives

The LLM in Transnational and European Commercial Law, Banking Law, Arbitration/Mediation core courses offer a thorough grounding in key functional areas within international trade, investment and ADR and, most importantly, their critical interactions and their impact on the organisation.

Term	Core Courses	Hours	Credits
I	European Economic Law	30	6
I	Transnational Commercial Law I	30	6
I	International Commercial Arbitration	30	6
I	Recognition and Enforcement of international arbitral awards	15	3
I	International Regulation of the Banking Sector	30	6
I	Mediation, ADR & ODR Law	16	3
2	Regulation of International Capital Markets & Investment Protection	30	6
2	Transnational Commercial Law II	30	6
2	Institutional Banking Law: Banking Services-Credit Assurance-Bank Surveillance-Consumer Protection in the Banking Sector	30	6
2	European & International Competition Law/Antitrust Law	16	3
2	Mediation and Ombudsman scheme in the Banking Sector	16	3
Term	Elective Courses*	Hours	Credits
3	Data Protection Law: General Data Protection Regulation	16	3
3	Legal Aspects of International Finance	16	3
3	International and EU Tax Law	16	3

3	Intellectual Property Law (Copyright Law & Industrial Property Law) – Patents, Utility Model Certificates, Industrial Designs	16	3
3	International Insolvency Law	16	3
3	Mergers & Acquisitions	16	3
3	Internet Law and E-Business	16	3
3	Banking Legal Environment	16	3
3	Financial Crime	16	3
3	European Procedural Law	16	3
3	EU Consumer Law	16	3
3	Media Law - Telecommunication Law	16	3

Part-time

The programme is also possible to run in a part-time mode over 2 years. The first year includes three teaching periods during which four core courses and two elective courses are offered. The second year students are taught over three teaching periods the remaining four core courses and two more elective courses. During the second year there is a fourth period in which the Dissertation should be completed.

The structure of the part-time mode of the LL.M. in Transnational and European Commercial Law, Banking Law, Arbitration/Mediation Programme is as follows:

The Core Curriculum and Electives

YEAR I

CORE COURSES

Semester	Core Courses	Hours	Credits
I	Transnational Commercial Law I	30	6
I	International Commercial Arbitration	30	6
I	Recognition and Enforcement of International Arbitral Awards Mediation, ADR & ODR Law	15	3
I		16	3
2	Transnational Commercial Law II	30	6
2	Institutional Banking Law: Banking Services-Credit Assurance-Bank Surveillance-Consumer Protection in the Banking Sector	30	6
2	I Elective Course	16	3

ELECTIVE COURSES

Term	Elective Courses*	Hours	Credits
3	Data Protection Law: General Data Protection Regulation	16	3
3	Legal Aspects of International Finance	16	3
3	International and EU Tax Law	16	3
3	Intellectual Property Law (Copyright Law & Industrial Property Law) – Patents, Utility Model Certificates, Industrial Designs)	16	3
3	International Insolvency Law	16	3
3	Mergers & Acquisitions	16	3
3	Internet Law and E-Business	16	3
3	Banking Legal Environment	16	3
3	Financial Crime	16	3
3	European Procedural Law	16	3
3	EU Consumer Law	16	3
3	Media Law - Telecommunication Law	16	3

* Electives may vary from year to year depending on current interest and student demand.

YEAR 2

CORE COURSES

Semester	Core Courses	Hours	Credits
1	European Economic Law	30	6
1	International Regulation of the Banking Sector	30	6
2	Regulation of International Capital Markets & Investment Protection	30	6
2	European & International Competition Law/Antitrust Law	16	3
2	Mediation and Ombudsman scheme in the Banking Sector	16	3
2	I Elective Course	16	3

ELECTIVE COURSES

Term	Elective Courses*	Hours	Credits
3	Data Protection Law: General Data Protection Regulation	16	3
3	Legal Aspects of International Finance	16	3
3	International and EU Tax Law	16	3
3	Intellectual Property Law (Copyright Law & Industrial Property Law) – Patents, Utility Model Certificates, Industrial Designs)	16	3
3	International Insolvency Law	16	3
3	Merges & Acquisitions	16	3
3	Internet Law and E-Business	16	3
3	Banking Legal Environment	16	3
3	Financial Crime	16	3
3	European Procedural Law	16	3
3	EU Consumer Law	16	3
3	Media Law - Telecommunication Law	16	3

* Electives may vary from year to year depending on current interest and student demand.

DISSERTATION

The Dissertation Proposal

The Dissertation Proposal should present an overview of a research investigation proposition that can be completed and submitted by the stipulated submission deadline. It is a checklist of fundamental elements of the dissertation that students need to consider and include in their finished thesis. The Dissertation Proposal should be around 1,000 words in length.

The proposal should include the following: draft title; motivation/background information on the topic; objectives/research questions; initial review of the literature and main arguments; expected outcomes & main contribution of the dissertation thesis.

The Dissertation

As a part of the LL.M. programme, students work on a 6-month thesis on a subject related to their academic interests and career aspirations. The Dissertation provides a good opportunity to apply theory and law learned in different courses to a real-world legal environment. The Dissertation tests the ability to develop and present a cogent argument. The length of the dissertation should not exceed 12,000 words exclusive of footnotes, appendices and bibliography. Students are supervised throughout their dissertation thesis by a member of the academic faculty. The supervision is delivered through face-to-face and online meetings and communication and through the e-learning platform of the University.

Core Course Details

European Economic Law

Teaching hours and credit allocation: 30 hours, 6 credits Course assessment: exam

Aims

The aim of this course is to provide students with the legal foundations of economic integration in the European Union and an understanding of the establishment of the EU internal market. The expansion of EU law into the national legal orders is a reality with which lawyers are called to deal on a daily basis. The European legislature adopts harmonization in many different areas of economic law. This course aims at covering these in a systematic way. Students could develop a deep understanding of the theoretical and practical issues of these areas of law. Their study is particularly challenging after the global financial crisis. This course will place emphasis on institutional aspects of European economic law.

Learning outcomes

On completing the course the participants will be able to:

- understand the institutional structure of the European Union;
- learn about the structure and the content of European Treaties;
- understand the implications of the Lisbon Treaty;
- understand the distinct role of European institutions;
- understand the constitutional foundations of the internal market of the EU;
- understand the law-making process, especially in the context of the internal market;
- critically evaluate various aspects of harmonization;
- recognize the important regulatory role of the European Union in national markets and in the European economy as a whole;
- recognize the global economic role of the European Union;
- distinguish EU/national/shared competences at EU level;
- be able to refer to case law of the European Court of Justice and other domestic/international courts and tribunals;
- be able to answer specific questions with regard to constitutional aspects of EU law;

Content

- The development of the European Union – Constitutional aspects of EU Law;
- EU Treaties (Treaty of Lisbon (2009), Treaty of Nice (2003), Treaty of Amsterdam (1999), Treaty on the European Union - Maastricht Treaty (1993), Single European Act (1986), Treaties of Rome - EEC and EURATOM treaties (1958), Treaty establishing the European Coal and Steel Community (1952);
- Main Institutions: the European Parliament, the Council of the European Union, the European Commission, the European Council, the European Central Bank, the Court of Justice of the European Union and the European Court of Auditors;
- Other institutions and bodies: European Economic and Social Committee, Committee of the Regions, European Investment Bank, European Investment Fund, European Ombudsman, European Data Protection Supervisor;
- The competences of the European Union;
- The finances of the European Union (Budget);
- Legislative process at EU level (co-decision)-aspects of harmonization;
- The legal system of the European Union (acquis communautaire);
- Primary EU law (Treaties)-secondary EU law (Legal instruments -regulations, directives and decisions);
- General principles of EU Law (principle of attributed competence, principle of subsidiarity, principle of proportionality, principle of non-discrimination, principle of legal certainty, etc.);
- EU Company Law. Harmonization of company law in the European Union. The legal basis. Freedom of establishment of legal persons. Free movement of capital and company law. The rich case law of the Court of Justice of the European Union on company law. Company law and capital markets. Corporate Finance Law. Corporate governance.

Reading

Books

- Chalmers D., and others (2010), *European Union Law*, 2nd ed., Cambridge University Press, UK;
- Craig P. / De Búrca G. (2011), *EU Law*, 5th ed., Oxford University Press, UK;
- Douglas-Scott S. (2002), *Constitutional Law of the European Union*, Longman, UK;
- Hartley P. (2010), *Foundations of European Community Law*, 7th ed., Oxford University Press, UK;
- Hix S. (2005), *The Political System of the European Union*, 2nd ed., Palgrave, UK;
- Lenaerts, P. /Van Nuffel, P. (2011), *European Union Law*, 3rd ed., Sweet & Maxwell, UK;
- Rosamond, B. (2000), *Theories of European Integration*, Macmillan, UK;
- Weatherill, S. (2012), *Cases and Materials on EU law*, 10th ed., Oxford University Press, UK;
- Weiler, J. (1999), *The Constitution of Europe: do the new clothes have an emperor?*, Cambridge University Press, UK;
- Wyatt, D. and Dashwood, A. (2011), *European Union Law*, 6th ed., Hart Publishing, Oxford, UK;
- Grundmann, S. (2011), *European Company Law: Organization, Finance and Capital Markets*, 2nd Edition, Intersentia Publications, Belgium;

- Andenas, M. /Wooldridge, F. (2009), *European Comparative Company Law*, Cambridge University Press, UK;
- Kraakman, R. and others (2009), *The Anatomy of Corporate Law: A Comparative and Functional Approach*, 2nd. Ed., Oxford University Press, UK;
- Prentice, D. / Reisberg, A. (2011), *Corporate Finance Law in the UK and EU*, Oxford University Press, UK;
- Ramos-Munoz, D. /Ingram, K. (2010), *The Law of Transnational Securitization*, Oxford University Press, UK;
- Basedow, J. and others (2012), *Max Planck Encyclopaedia of European Private Law*, Oxford University Press, UK;
- Sun, W. and others (eds) (2012), *Corporate Governance and the Global Financial Crisis*, Oxford University Press, UK;
- Busch, D. / Macgregor, L.J. (2012), *The Unauthorised Agent, Perspectives from European and Comparative Law*, Cambridge University Press, UK;
- Wrzka, S. and others (2012), *Collective Actions, Enhancing Access to Justice and Reconciling Multilayer Interests?*, Cambridge University Press, UK;
- Nelson, P. (2012), *Capital Markets Law and Compliance*, Cambridge University Press, UK;
- Ferran, E. and others (2012), *The Regulatory Aftermath of the Global Financial Crisis*, Cambridge University Press, UK;
- Williams, C./Zumbansen, P. (2012), *The Embedded Firm*, Cambridge University Press, UK;
- Avgouleas, E. (2012), *Governance of Global Financial Markets*, Cambridge University Press, UK;
- Umfahrer, B. (2008), *The Reform of European Legal Capital Rules*, Intersentia Publications, Belgium;

Transnational Commercial Law I

Teaching hours and credit allocation: 30 hours, 6 credits Course assessment: coursework + exam

Aims

The aim of this course is to enable students to understand the legal challenges in the context of transnational commerce. The extensive growth of international trade and the integration of markets since WWII have led to the internationalisation of the institutional and legal framework on trade and investment. Thus, transnational commercial law has evolved rapidly and has become a key component of globalisation. Transnational commercial law covers a variety of topics, from the legal framework on the international trading of goods to the regulation of complex financial transactions. Students will explore the institutional framework for trade relations between nations and the theoretical debate on liberalising trade barriers. The focus will also be on transactions between parties from different countries, transactions governed by national legislation and by international instruments, such as the United Nations Convention on Contracts for the International Sale of Goods. The course also addresses the work of international organisations on the harmonisation of international commercial law. Reference will be made to, and comparisons will be drawn between various legal systems, where appropriate. Thus, students will gain a good understanding of practical issues and legal problems surrounding international trade and investments, as well as their economic and legal implications from the investor's and the regulator's point of view.

Learning Objectives

Students will be able to:

- Understand the main branches of knowledge of which transnational commercial law is comprised;
- Explore the roots of modern transnational commercial law and appreciate its fast-paced development;
- Explore the legal sources of international economic law (statutory and customary law, bilateral and multilateral treaties, etc.), as well as its main principles and practices;
- Explain the rights and obligations arising between the parties of transnational commercial transactions;

Approach the study of relevant legislation, cases and international agreements in an analytical and systematic way.

Course outline / contents

Transnational Commercial law: regulatory frameworks

1. Introduction to module: Main branches of transnational commercial law
2. Globalisation and transnational commercial law
 - The historical foundations of transnational commercial law
 - Economic interdependence and the need for transnational regulation
 - The evolution of transnational commercial law
3. Actors and sources of law in transnational commercial law
 - The role of states, international organisations and private entities
 - International law as the basis of transnational commercial law
 - The role of national law
 - The role of soft law and Lex mercatoria
4. International trade law

- The theories behind trade liberalization
- The evolution of international trade rules: the WTO
- The principles of international trade: abolishing trade barriers and non-discrimination
- Regional market integration: the example of the EU
- 5. Complementing rules on international trade: foreign investment and international monetary law
 - The origins, sources and objectives of international investment law
 - The IMF and guaranteeing price stability
- 6. Dispute settlement
 - Mechanisms for international dispute settlement
 - The role of commercial and investment arbitration
 - The role of national courts
- 7. Seminar questions

Transnational commercial law: private transactions

8. Managing transnationality in commercial transactions:

- a. Unification and harmonization in transnational commercial law
 - types of instruments
 - leading organizations at regional and international level
 - harmonizing strategies and practices
- b. Choice of law in transnational commercial transactions: the conflict-of law approach
 - The Role of Private international law
 - Conventions of the Hague Conference on Private International Law
 - Rome Convention and Rome regulations

9. Rules for International Commercial Contracts – International Sales of Goods

- a. Negotiations and precontractual liability in transnational commercial transactions
- b. Basics of CISG:
 - scope of application
 - contract formation
 - performance, breach of contract and remedies

10. Financing of international sales

- Letters of Credit
- UPC 600

Reading

Essential reading:

- Herdegen, M. Principles of International Economic Law (2nd ed., 2016), *Principles of International Economic Law* Oxford, University Press, UK;
- Goode, R. /Kronke, H. / McKendrick, E. / Wool, J. (2nd ed., 2015), *Transnational Commercial Law: Texts, Cases and Materials* Oxford, University Press, UK

Further reading:

- Bekker, P. et al. (2010), *Making Transnational Law Work in the Global Economy: Essays in Honour of Detlev Vagts*, Cambridge University Press, UK;
- Bernasconi, C. (1999), The Personal and Territorial Scope of the Vienna Convention on Contracts for the International Sale of Goods (Article I), 46 *Netherlands International Law Review*, pp. 137-170
- Bonell, M.J. (2000), *UNIDROIT Principles of international commercial contracts and the United*

Nations Convention on Contracts for the International Sale of Goods: alternatives or complementary instruments?, 2000 Bus. L. Int'l 91 ff

- Goode, R. /Kronke, H. / McKendrick, E. / Wool, J. (2nd ed., 2012), *Transnational Commercial Law: International Instruments and Commentary*, Oxford, University Press, UK;
- Huber, P./Mullis, A. (2014), *The CISG: A New Textbook for Students and Practitioners*, Sellier European Law Publishers, 2nd edition, Germany;
- Jackson, J. (2008), *Legal Problems of International Economic Relations: Cases, Materials and Text*, West, USA;
- Schwenzer, I. (ed.) (2010) - *Commentary on the UN Convention on the International Sale of Goods (CISG)*, Oxford University Press, 3rd edition, Oxford University Press, UK;

On-line Databases & Legal Text Sources:

☐ Albert H. Kritzer CISG Database, Pace Law School, Pace University, Institute of International Commercial Law – <http://www.cisg.law.pace.edu/>

☐ TRANS-LEX.org, Law Research, CENTRAL, University of Cologne, co-sponsored by Klemens Pleyer Foundation – <http://www.trans-lex.org/>

☐ UNILEX – “A collection of international caselaw and bibliography on two of the most important international instruments for the regulation of international commercial transactions”, UNIDROIT Principles of International Commercial Contracts, CISG, editor in chief: Bonell, Michael Joachim – <http://www.unilex.info/>

☐ CISG and Explanatory Note: <http://www.uncitral.org/pdf/english/texts/sales/cisg/V1056997-CISG-e-book.pdf>

☐ UNIDROIT Principles of International Commercial Contracts: <http://www.unidroit.org/english/principles/contracts/principles2010/integralversionprinciples2010-e.pdf>

☐ UNCITRAL Model Law on International Commercial Arbitration (1985), with amendments as adopted in 2006 and Explanatory Note: http://www.uncitral.org/pdf/english/texts/arbitration/ml-arb/07-86998_Ebook.pdf

☐ Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958; the "New York Convention"): http://www.uncitral.org/pdf/english/texts/arbitration/NY-conv/XXII_I_e.pdf

☐ ICC Incoterms 2010 (short overview): <http://www.iccwbo.org/products-and-services/trade-facilitation/incoterms-2010/the-incoterms-rules/>

☐ ICC UPC 600 2006 (short overview): <http://www.iccwbo.org/news/articles/2006/icc%E2%80%99s-new-rules-on-documentary-credits-now-available/>

International Commercial Arbitration

Teaching hours and credit allocation: 30 hours, 6 credits Course assessment: exam

Aims

This course aims at providing a concrete and comprehensive approach to international commercial arbitration. In general, arbitration constitutes one of the most important methods of alternative dispute resolution, at both global and regional level. There is an increasing tendency nowadays for disputes arising from international commercial transactions and business agreements to be settled through arbitration. The workload of courts, the litigation costs and need for confidentiality contribute to the popularity of international commercial arbitration. This course aims at providing all the necessary credentials to a lawyer interested in international commercial arbitration. Students will be introduced to this method of alternative dispute resolution, in theory and in practice. Basic concepts, as well as more detailed aspects of the arbitral process, will be examined. This course focuses on fundamental issues of international commercial arbitration. Its goal is also to provide the essential theoretical background allowing students to take the course on “International commercial arbitration II” where students will study practical issues, contemporary problems and specialized areas of international commercial arbitration.

Learning outcomes

On completion of the course, participants will be able to:

- understand the foundations, rules and doctrines of international commercial arbitration;
- understand the possibility of solving a dispute outside a national court system;
- understand the other methods of alternative dispute resolution;
- understand the various problems surrounding international commercial arbitration, as well as, the legal debates surrounding the proposed solutions;
- understand the different types of provisions that may have to be taken into account in an international arbitration;
- focus on the relationship between conflict of laws and international commercial arbitration;
- recognize the importance of the various requirements of an arbitration agreement;
- appreciate the magnitude of international commercial arbitration in comparison with court processes (adjudication);
- understand the role of domestic courts in international commercial arbitration;
- engage with more advanced legal issues in “international commercial arbitration II”

Content

- ▣ Introduction to International Commercial Arbitration and to Alternative Dispute Resolution, in general;
- ▣ Why international commercial arbitration is chosen by the parties. Advantages and disadvantages of arbitration;
- ▣ Other dispute resolution methods: mediation, conciliation, neutral evaluation and expert determination, mini trials, last offer arbitration;
- ▣ The foundations and the main principles of international commercial arbitration, negotiation and mediation;
- ▣ Forms of arbitration. Ad hoc arbitration\ institutional arbitration, specialised categories of arbitration
- ▣ Arbitration agreements: legal nature, function, aims, validity, parties, categories of disputes, arbitrability, confidentiality;
- ▣ Drafting the arbitration agreement: various requirements;
- ▣ Applicable law;
- ▣ Judicial assistance for arbitration (enforcement of arbitration agreements, evidence etc);
- ▣ The Tribunal;
- ▣ Arbitration procedure.
- ▣ Arbitral Award;
- ▣ Setting Aside an Award
- ▣ Enforcement.

Reading

- Asford, P. (2014), *Handbook on International Commercial Arbitration*, Juris Publishing, U.S;
- Balthasar, St. (2015), *International Commercial Arbitration*, C.H. Beck, Munich;
- Berger, K.P. (2006), *Private Dispute Resolution in International Business-Negotiation, Mediation, Arbitration, Volumes I, II*. Kluwer Law International, the Netherlands;
- Bishop D., Kehoe E.G.(2010), *The Art of Advocacy in International Arbitration*, Second ed., USA;
- Blackaby, N./ Partasides, C., (2015) *Redfern and Hunter on International Arbitration*, Oxford, UK;
- Born, G. (2015), *International Commercial Arbitration – Cases and Materials*, Kluwer Law International, the Netherlands;
- Born, G. (2016), *International Arbitration: Law and Practice*, 2nd ed., Kluwer, The Netherlands;
- Brekoulakis S., Lew J.D., Mistelis L.,(2016), *The Evolution and Future of International Arbitration*, Kluwer Law International;
- Cardonneau, T.E. (2010), *The Law and Practice of Arbitration*, Huntington, NY;
- Conrad, N./ Black- Branch, J. (2013), *International Commercial Arbitration*, C.H. Beck, Munich;
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- Ferrari, F. / Kroell, S. (ed.) (2011), *Conflicts of Laws in International Arbitration*, Sellier, Munich;
- Gerbay R., (2016) *The Functions of Arbitral Institutions*, Kluwer Law International;
- Goldberg, S. / Sander, F. / Rogers, N. (2003), *Dispute Resolution*, 4th ed., Aspen, USA;
- Kinnear , Fischer, Almeida, Torres, Bidegain, (2015) *Building International Investment Law: The First 50 Years of ICSID*, Kluwer Law International;
- Kronke,H./Nacimiento,P.and others (2010), *Recognition and Enforcement of Foreign Arbitral Awards: A Global Commentary on the New York Convention*, Kluwer Law International, the Netherlands;
- Lew, J.D.M./ Mistelis, L./ Kroll, S. (2003) *Comparative International Arbitration*, Kluwer Law International , the Netherlands;
- Mistelis L., (2015), *Concise International Arbitration (Second Edition)*, Kluwer Law International;
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- Park, W.W. (2012), *Arbitration of International Business Disputes-Studies in Law and Practice*, Oxford University Press, UK;
- Paulsson M., (2016), *The 1958 New York Convention in Action*, Kluwer Law International;
- Petrochilos, G. (2004), *Procedural Law in International Arbitration*, Oxford University Press, UK;
- Poudret, J. F. / Besson, S. (2007), *Comparative Law of International Commercial Arbitration*, Sweet & Maxwell, UK;
- Redfern, A./ Hunter, M. (2009), *Redfern and Hunter on International Arbitration*, Oxford, UK;
- Rosenfeld, F. / Ferrari, F. (2021), *International Commercial Arbitration - A Comparative Introduction*, Elgar;
- Sammartano, M.R. (2014), *International Arbitration, Law and Practice*, Third Ed., USA;
- Schuetze, R. (2013), *Institutional Arbitration*, C.H. Beck, Munich;
- Tweeddale, A. / Tweeddale, K. (2007), *Arbitration of Commercial Disputes-International and English Law and Practice*, Oxford University Press, UK;
- Varady, T. (2015), *International Commercial Arbitration*, West Academic Press, St. Paul MN;
- Webster, T. (2010), *Handbook of UNCITRAL Arbitration*, Sweet & Maxwell, London;
- Weigand, F-B. (2009), *Practitioner's handbook on international commercial arbitration*, Oxford UP, UK;
- Wolff, R. (2013), *New York Convention*, Hart Publishing, Oxford, UK;.

Recognition and Enforcement of International Arbitral Awards

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

This course offers an introduction to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (hereinafter: “New York Convention”), which is an international treaty that was concluded in New York in 1958. With 159 Contracting Parties as of 1 August 2018, it belongs to one of the most successful treaties ever.

We will examine the New York Convention’s scope of application, the duty to recognize and enforce arbitration agreements and foreign arbitral awards as well as the grounds for a refusal of recognition and enforcement. We will proceed by addressing the procedure for recognizing and enforcing arbitral awards as well as the relevance of the post-award regime in the pre-award phase. Our discussions will include relevant case from jurisdictions across the world. Students will have the possibility to test their knowledge in case scenarios from practice.

Learning Outcomes

Upon completion of the course, students will be in a position to:

- Apply the regime for recognition and enforcement of arbitral awards,
- Understand the limited review of arbitral awards at the post-award regime,
- Appreciate the implications of the post-award regime in the pre-award stage

Content

- Introduction to the New York Convention
- Scope of Application
- The duty to recognize arbitration agreements
- Competence competence
- The duty to recognize and enforce arbitral awards
- Grounds for refusal of recognition and enforcement related to jurisdiction
- Grounds for refusal of recognition and enforcement related to procedure
- Grounds for refusal of recognition and enforcement related to the status of the arbitral award at the place of arbitration
- Grounds for refusal of recognition and enforcement related to public policy
- Procedure
- The relevance of the post-award regime at the pre-award stage

Reading

Suggested reading materials will be made available in the intranet. In addition, students may consult the following sources:

Books

- Born, G. (2015), *International Commercial Arbitration – Cases and Materials*, Kluwer Law International, the Netherlands;
- Born, G. (2016), *International Arbitration: Law and Practice*, 2nd ed., Kluwer, The Netherlands.
- Gaillard, E./ D. Di Pietro (2008), *Enforcement of Arbitration Agreements and International Arbitral Awards: The New York Convention in Practice*, Cameron May Ltd;
- Kronke, H. / Nacimiento, P. and others (2010), *Recognition and Enforcement of Foreign Arbitral Awards: A Global Commentary on the New York Convention*, Kluwer Law International, the Netherlands;

Websites

- www.newyorkconvention1958.org
- www.newyorkconvention.org

Regulation of International Capital Markets and Investment Protection

Teaching hours and credit allocation: 30 hours, 6 credits Course assessment: exam

Aims

This course is designed to study and analyze the international capital markets and the ways in which governments and public authorities intervene in the operation of financial markets globally, regionally and nationally. It examines the principles of regulation of international financial markets and examines the public regulation of financial markets – that is, the relationship between central government, independent government agencies or indeed international organizations on the one hand, and financial markets or market participants on the other. The course is premised upon the notion that the students of finance and financial law ought to develop a sound understanding of the various choices available to policy makers and national supervisory authorities in relation to the design and structure of national regulatory frameworks. The course will also provide a critical view of current regulatory developments globally with the aim to identify the most appropriate regulatory policies towards increasingly complex financial phenomena and markets in the era of financial globalization.

Learning outcomes

On completing the course, students are expected to be able to:

- Understand the legal foundations of international capital markets;
- Understand the U.S. and European Union law of financial and capital markets;

- Understand the nature of global capital flows and markets and the various instruments traded in those markets;
- Understand the legal environment where corporations, financial institutions and other business raise capital globally or internationally;
- Understand the structure of international monetary and financial order;
- Follow future legal developments in the area of international financial markets;

Content

- Financial Markets and Financial Assets
- Primary and Secondary Capital Markets
- The Internationalisation of Capital Markets
- The Globalisation of Financial Crises
- The Regulatory Framework
- Disclosure and Transparency
- The Role of Market Intermediaries in Securities Markets
- Regulation of Securities Firms
- The Structure and Economic Functions of Secondary Securities Markets
- The Globalisation of Finance
- Building International Financial Stability
- Developing International Rules and Regulatory Standards for Capital Markets

Reading

- International finance: transactions, policy, and regulation by Hal S. Scott, Nomura Professor of International Financial Systems, Harvard Law School ; Anna Gelpern, Professor of Law, Georgetown University Law Center. Edition: Twenty-first edition. Published: St. Paul, MN : Foundation Press, [2016]
- International finance: law and regulation by Scott, Hal S., Edition: 3rd ed. / Hal S. Scott, Anna Gelpern. Published: London: Sweet & Maxwell, c2012.

Investment Protection

Aims

This course offers a comprehensive treatment of international law governing foreign investments. It identifies and analyses the sources, scope and content of the substantive international law rules that determine investor-State relationships, and discusses their application in practice. It examines the international law context within which investment law rules emerge and the substantive principles and standards that apply to investor-state relationships. It highlights the overlaps, similarities and differences divergent investment legal instruments enabling students to give advice about the application of investment law in specific cases.

Learning outcomes

On completing the course, students are expected to be able to:

- Identify and analyse the sources, scope and content of substantive international investment law rules
- Identify the overlaps, similarities and differences among divergent legal instruments
- Analyse complex legal principles of international investment law and give advice about their application in practice
- Evaluate the differences among divergent legal instruments relating to international investment law and give advice about their practical implications

Content

- The Sources of International Investment Law
- The definitions of Investment and Investors
- Admission and Establishment of foreign investments
- Relative Standards of Treatment: Most-Favoured-Nation and National Treatment
- Absolute Standards of Treatment: Fair and Equitable Treatment and Full Protection and Security
- Protection against expropriation
- Investment contracts and umbrella clauses

Reading

- J. Salacuse, *The Law of Investment Treaties* (2nd edition, Oxford University Press, 2015)
- K. Schefer, *International Investment Law - Text, Cases and Materials* (Edward Elgar, 2016)
- Z. Douglas, J. Pauwelyn and J. Vinuales, *International Investment Law* (Oxford University Press, 2014)
- R. Dolzer and C. Schreuer, *Principles of International Investment Law* (2nd edition, Oxford University Press, 2012)

Transnational Commercial Law II

Teaching hours and credit allocation: 30 hours, 6 credits Course assessment: exam + coursework

Aims

The aim of this course is to further explore transnational commercial law, by appraising and comparing international legal instruments and theories. The course builds on the knowledge and skills that students have acquired through the study of the Transnational Commercial Law I course. The course deals with special issues related to international trade, international investment and their regulation. It studies the basic principles in the context of international commercial law. It identifies realities and conflicting interests behind international agreements or initiatives, focusing in particular on recent instruments developed within global intergovernmental organisations such as UNIDROIT, UNCITRAL and The Hague Conference and relating to acquisition finance of mobile equipment, secured transactions, and financial markets. Both substantive law and conflict of laws issues will be considered. Moreover, in-depth attention will be given to international securities law. Consequently, the students will be better able to identify the legal risks and appreciate the legal complexities that impact international business. By gaining a better understanding of the international legal environment, the students will be able to analyse and recommend business strategies and legal strategies in an international context.

Learning outcomes:

Students will be able to:

- ▣ Obtain a robust understanding and appreciation of the principles and practices of transnational commercial and financial law;
- ▣ Further explore the prospects of regional and multilateral initiatives in the field of transnational commercial and financial law;
- ▣ Understand the rights and obligations arising between the parties of complex transnational commercial and financial transactions;
- ▣ Approach the study of relevant legislation, cases and international agreements in an analytical and systematic way;
- ▣ Explore the rules for International Commercial Contracts and the Legal Framework for secured transactions and asset-based finance;
- ▣ Experience practical assignments.

Content

- ▣ CISG;
- ▣ UNIDROIT Principles;
- ▣ UNCITRAL - Working Method;
- ▣ Hague Conference;
- ▣ UNIDROIT – Mandate, Working Method, Main Achievements – Conventions – Soft Law;
- ▣ 1988 UNIDROIT Convention On International Financial Leasing (Ottawa Convention);
- ▣ 2001 Cape Town Convention On International Interests On Mobile Equipment;
- ▣ 2001 Aircraft Protocol;
- ▣ 2007 Luxembourg Protocol On Matters Specific To Railway Rolling Stock;
- ▣ 2012 Space Protocol On Matters Specific To Space Assets;
- ▣ Future MAC Protocol On Matters Specific to Mining, Agricultural and Construction Equipment;
- ▣ 2008 Model Law On Leasing;
- ▣ 2001 United Nations Convention On The Assignment Of Receivables In International Trade (where relevant);
- ▣ 2007 UNCITRAL Legislative Guide On Secured Transactions;
- ▣ 2016 UNCITRAL Model Law on Secured Transactions, Guide to Enactment, Future Work;
- ▣ 2002/2006 Hague Convention On The Law Applicable To Certain Rights In Respect Of Securities Held with an Intermediary;
- ▣ 2009 UNIDROIT Convention On Substantive Rules For Intermediated Securities;
- ▣ UNIDROIT Legislative Guide for Intermediated Securities
- ▣ Finance Lease (Lessor - Lessee - Manufacturer);
- ▣ Operating Lease;
- ▣ Acquisition Finance Devices;
- ▣ Sale Under Retention Of Title;
- ▣ Secured Transactions;
- ▣ Intermediated securities;
- ▣ EU Settlement Finality Directive;
- ▣ EU Financial Collateral Directive;
- ▣ Regulatory responses to the global financial crisis;
- ▣ Simulation of a negotiation related to CISG sale agreements;
- ▣ Moot/arbitration proceeding on an international commercial dispute.

Reading

Books

In addition to the sources already used in the Transnational Commercial Law I course, the following specialized readings are of great interest:

- Dupuy, P. M. et al. (2009), *Human Rights in International Investment Law and Arbitration*, Oxford University Press, UK.
- Goode, R. / Kanda, H. / Kreuzer, K., / Bernasconi, C. (2005), *Hague Securities Convention: Explanatory Report*, Martinus Nijhoff Publishers, The Netherlands.
- Goode, R./ Kronke H./ McKendrick E. /Wool, J. (2012), *Transnational Commercial Law: International Instruments and Commentary*, Oxford University Press, UK.
- Gullifer, L., / Payne, J. (eds.) (2010), *Intermediated Securities: Legal Problems and Practical Issues*, Hart Publishing, Oxford, UK.
- Jackson, J. (2006), *Sovereignty, the WTO, and Changing Fundamentals of International Law*, Cambridge University Press, UK.
- Janssens C.,(2013), *The Principle of mutual Recognition in EU Law*, Oxford University Press, UK.
- Kanda, H./ Mooney, C./ Thévenoz, L. /Béraud, S./ Keijser, T. (2012), *Official Commentary on the Unidroit Convention on Substantive Rules for Intermediated Securities*, Oxford University Press, UK.
- Keijser, T. (2006), *Financial Collateral Arrangements; The European Collateral Directive Considered from a Property and Insolvency Law Perspective*, Kluwer Legal Publishers, Deventer, Law of Business and Finance Series, Volume 9.
- Keijser, T. (2014), *Transnational Securities Law*, Oxford University Press, UK.
- Lowenfeld, A. (2008), *International Economic Law*, Oxford University Press, UK;
- Maletic I., (2013), *The Law and Policy of Harmonisation in Europe's Internal Market*, Edward Elgar.
- Malloy, M. (2001), *United States Economic Sanctions: Theory and Practice*, Kluwer Law International, the Netherlands;
- Mavroidis, P. et al. (2010), *The Law of the World Trade Organization (WTO): Documents, Cases & Analysis*, American Casebook series, West Group, USA.
- Mitchell, A. (2008), *Legal Principles in WTO Disputes*, Cambridge University Press, UK.
- Muchlinski, P. et al. (2008), *The Oxford Handbook of International Investment Law*, Oxford University Press, UK.
- Trebilcock, M. and R. Howse (2005), *The Regulation of International Trade*, 3rd ed., Routledge.
- Weiss, F. et al (1998), *International Economic Law with a Human Face*, Kluwer Law International, the

Netherlands;

- Gullifer, L.; Akseli, O., Secured Transactions Law Reform: Principles, Policies and Practices, Hart Publishing, Oxford, 417 ff.

Articles

- Baldwin, D. (2003), Prologomena to Thinking about Economic Sanctions and Free Trade, *Chicago Journal of International Law*, vol. 4, p. 271 ff;
- Bernasconi, C. / Keijser, T. (2012), The Hague and Geneva Securities Conventions: a Modern and Global Legal Regime for Intermediated Securities, *Uniform Law Review*, 2012, p. 549-560;
- Brower, C. / Sharpe J. (2004), The Creeping Codification of Transnational Commercial Law: An Arbitrator's Perspective, *Virginia Journal of International Law*, vol. 45, p. 199 ff;
- Cho, S. (2010), The Demise of Development in the Doha Round Negotiations, *Texas International Law Journal*, vol. 45, p. 573 ff;
- Collins, D. (2009), A New Role for the WTO in International Investment Law: Public Interest in the Post-Neoliberal Period, *Connecticut Journal of International Law*, vol. 25, p. 1 ff;
- Gabriel, H. (2009), The Advantages of Soft Law in International Commercial Law: The Role of UNIDROIT, UNCITRAL, and the Hague Conference, *Brooklyn Journal of International Law*, vol. 34, p. 655 ff;
- Goode, R. (2012), From Acorn to Oak Tree: the Development of the Cape Town Convention and Protocol, *Uniform Law Review*, 599 ff;
- Gopalan, S. (2004), New Trends in the Making of International Commercial Law, *Journal of Law and Commerce*, vol. 23, p. 117 ff;
- Gullifer, L. (2012), What Should We Do about Financial Collateral?, *Current Legal Problems* 65, p. 377 ff;
- Keijser, T. (2006), A Need for a Change; The Undesirable Consequences of the Settlement Finality Directive and the Collateral Directive in the Field of Property and Insolvency Law, in Particular for Small- and Medium-Sized Enterprises, *Zeitschrift für Europäisches Privatrecht*, 2006/2, p. 308-325;
- Kronke, H., (2011), Financial Leasing and its Unification by UNIDROIT – General Report, *Uniform Law Review*, 23 ff.
- Sołtysiński, S. (2014), The Importance of the Principles of Equality of the EU Member States and Economic Actors in EU Law, *ELTE Law Journal* vol. 2, p. 73 ff;
- Taniguchi, Y. (2009), The WTO Dispute Settlement as Seen by a Proceduralist, *Cornell International Law Journal*, vol. 2, p. 1 ff;

- Crans, B. (2010), The Implications of the EU Accession to the Cape Town Convention, 35 Air and Space Law 1, 7 ff;
- Goode, R. (2004), The International Interest as an Autonomous Property Interest, 12 European Review of Private Law 18 ff;
- Rodríguez de las Heras Balell, T. (2016), Key points for the effective implementation of the Cape Town Convention: the accession of Spain to the Aircraft Protocol, Uniform Law Review 1 ff;
- Rodríguez de las Heras Balell, T. (2014), The accession by Spain to the Cape Town Convention: a first assessment, Uniform Law Review.

Mediation, ADR & ODR Law

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

This course provides an analysis of the theoretical and practical considerations surrounding mediation and its legal implications within the context of European legal systems. The general focal points are twofold: mediation law and alternative and online dispute resolution (ADR/ODR). The course examines the main debates, methods, issues and critical approaches to the subject, together with an analysis of the Mediation Directive, the ADR Directive and the ODR Regulation, in particular looking at issues of confidentiality, adversarialism and civil justice, and the role of lawyers within the process. It considers recent reviews of civil and administrative justice for their impact on mediation. It also examines the development of a mediation profession and issues such as training, continuous professional development, accreditation and regulation.

Learning outcomes

On completing the course, students are expected to be able to:

- appreciate the relationship between mediation and dispute resolution;
- understand the foundations, rules and doctrines of EU mediation law;
- critically analyse the theories and methods associated with mediation;
- elaborate on the strengths and weaknesses of mediation & ADR schemes within law;
- identify the main characteristics of the various European legal orders as regards mediation; get practical solutions out of the theoretical knowledge;
- develop a critical awareness of the social, ethical and political influence on the operation of ADR in the internal market;
- comprehend mediation under the ICC Mediation Rules 2014;
- understand the legal and practical issues associated with the EU Directive on consumer ADR and the EU Regulation on consumer ODR.

Content

- Theoretical and Practical Aspects of ADR & ODR
- Forms of Mediation
- Mediation Agreements: Legal Nature, Function, Aims, Validity, Enforceability
- Mediator Duties, Accreditation Requirements for Mediators
- EU Mediation Directive
- Other ADR schemes
- EU Directive on Consumer ADR
- EU Regulation on Consumer ODR
- Mediation under the ICC Mediation Rules 2014
- Harmonization of the Rules of International Mediation

Reading

Books

- Alexander, N./ Walsh, S./ Svatos, M. (2016), *EU Mediation Law Handbook: Regulatory Robustness Ratings for Mediation Regimes*, Kluwer Law International, the Netherlands;
- Allen, T. (2013), *Mediation law and civil practice*, Tottel Publishing, UK;
- American Arbitration Association (2016), *Handbook on Mediation*, 3rd edition, Juris Publishing, USA;
- Ade, J. (2017), *Mediation und Recht: eine Einführung in die Mediation und ihre rechtlichen Grundlagen*, Wolfgang Metzner Verlag, Germany;
- Berger, K. - P. (2015), *Private Dispute Resolution in International Business: Negotiation, Mediation, Arbitration*, 3rd edition, Kluwer Law International;
- Blake, S./ Browne, J./Sime, S. (2016), *The Jackson ADR Handbook*, 2nd edition, OUP, UK;
- Cortes, P. (2017), *The Law of Consumer Redress in an Evolving Digital Market: Upgrading from Alternative to Online Dispute Resolution*, Cambridge University Press, UK;
- Cortes, P. (2016), *The New Regulatory Framework for Consumer Dispute Resolution*, OUP, UK;
- Cortes, P. (2010), *Online Dispute Resolution for Consumers in the European Union*, Taylor & Francis, UK;
- De Palo, G. /Trevor, M. (2012), *EU Mediation Law and Practice*, OUP, UK;
- Diedrich, F. (2014), *The Status Quo of Mediation in Europe and Overseas. Options for Countries in Transition*, Verlag Dr. Kovac, Germany;
- Eidenmüller, H./Wagner, G. (2015), *Mediationsrecht*, Otto Schmidt, Germany;
- Esplugues, Carlos / Marquis, Louis (eds) (2015), *New Developments in Civil and Commercial Mediation : Global Comparative Perspectives*, Springer, Switzerland;
- Filler, E. (2012), *Business Mediation in Europe: Concepts Experiences and Perspectives*, Kluwer Law International, the Netherlands;
- Hodges, C./ Benöhr, I./Creutzfeldt, N. (2012), *Consumer ADR in Europe*, Publishing Limited, UK,;
- Greger, R./ Unberath, H. / Steffek, F. (2016), *Recht der alternativen Konfliktlösung - Mediationsgesetz, Verbraucherstreitbeilegungsgesetz*, C.H.Beck, Germany;
- Hopt, Klaus J. (2013), *Mediation*, OUP, UK;
- Klowait, J. (2014), *Mediationsgesetz : Handkommentar* , Nomos, Germany;
- Lodder, A./Zelevnikow, J. (2010), *Enhanced dispute resolution through the use of information technology*, Cambridge University Press, UK;
- Steffek, F. / Unberath , H. (2013), *Regulating Dispute Resolution : ADR and Access to Justice at the Crossroads*, Oxford : Hart Publishing Limited, UK;
- Stürner, M./ Gascón Inchausti, F./ Caponi, R. (eds) (2014), *The Role of Consumer ADR in the Administration of Justice*, Sellier, Germany;
- Waldman, E. (2011), *Mediation ethics: cases and commentaries*, Jossey-Bass.

Articles

- Blanke, Gordon, *The Mediation Directive: what will it mean for us?*, *Arbitration* 2008, 74(4), 441 et seq.

- Brady, Ann, Mediation developments in civil and commercial matters within the European Union, *Arbitration* 2009, 75(3), 390 et seq.
- Clarke, Anthony, The future of civil mediation, *Arbitration* 2008, 74(4), 419 et seq.
- Cornes, David, Mediation Privilege and the EU Mediation Directive: An Opportunity?, (2008) 74 *Arbitration* 395 et seq.
- Creutzfeldt, Naomi, Implementation of the Consumer ADR Directive, *EuCML* 2016, 169 et seq.
- Diamantopoulos, Georgios/ Koumpli, Vassiliki, On mediation law in Greece, *RHDI* 67 (2014), 361 et seq.
- De Palo, Giuseppe / D'Urso, Leonardo, Explosion or bust? Italy's new mediation model targets backlogs to "eliminate" one million disputes annually, *Alternatives* 2010, 93 et seq.
- Eidenmüller, Horst / Engel, Martin, Against False Settlement: Designing Efficient Consumer Rights Enforcement Systems in Europe *Ohio State Journal on Dispute Resolution* 2014, 261 et seq.
- Eidenmüller, Horst, Establishing a Legal Framework for Mediation in Europe: The Proposal for an EC Mediation Directive, *SchiedsVZ* 2005, 124 et seq.
- Fejos, Andrea/ Willett, Chris, Consumer Access to Justice: The Role of the ADR Directive and the Member States, *European Review of Private Law*, Vol. 24, Issue 1 (2016), pp. 33 et seq.
- Friedrich, Fabian, UNCITRAL Model Law on International Commercial Conciliation, *SchiedsVZ* 2004, 297 et seq.
- Friedrich, Fabian, The enforceability of mediation clauses - The approach of English and German courts and ICC arbitral tribunals, *SchiedsVZ* 2005, 250 et seq.
- Herbert, William A. DePalo, Giuseppe Baker, Ava V., Anthimos, Apostolos, Tereschenko, Natalia Judin, Michael, International Commercial Mediation, *The International Lawyer* 45, No 1 (Spring 2011), 111 et seq.
- Hess, Burkhard, Prozessuale Mindestgarantien in der Verbraucherschlichtung, *JZ* 2015, 548 et seq. et seq.
- Hodges, Christopher, Verbraucher-Ombudsstellen: Bessere Regulierung und Beilegung von Streitigkeiten, *Zeitschrift für das Privatrecht der Europäischen Union* 2015, 263

- Hodson, David, ADR Professional: The EU Mediation Directive: European encouragement for ADR, [2008] Fam Law 930 et seq.
- Kallipetis, Michel, The European Directive scuppered?, Arbitration 2007, 73(1), 60 et seq.
- Katiforis, Nikolaos, ADR (Mediation) Policy in Greece since 2010 ,FS Stürner 2013, 1581 et seq.
- Klamaris, Nikolaos, Grundsätzliche Aspekte der Mediations-Regelung im griechischen Recht: Eine systematische und kritische Darstellung, ZZPInt 2016, 103 et seq.
- Komnios, Komninos, 'The Implementation of the Consumer ADR Directive in Greece' (2016) 5 Journal of European Consumer and Market Law, Issue 6, pp. 244 et seq.
- Koo, A.K.C., Confidentiality of mediation communications, C.J.Q. 2011, 30(2), 192-203 et seq.
- Lenz, Cristina, Mediation law in Germany, Austria and Switzerland, Arbitration 2009, 75(4), 513 et seq.
- Lightman, Gavin, Mediation: an approximation to justice, Arbitration 2007, 73(4), 400 et seq.
- Lindblom, Per Henrik, ADR - The opiate of the legal system?, ERPL 2008, 63 et seq.
- Loh, Quentin, The duty of counsel before an alternative dispute resolution tribunal, FS Schütze (1999), 437 et seq
- Maniotis, Dimitrios, Substantial and Procedural Aspects of Mediation, ZZPInt 2012, 165 et seq.
- Menkel-Meadow, Carrie, Lawyer Negotiations: Theories and Realities – What We Learn From Mediation, Modern Law Review 1993 (56), 361 et seq.
- Newmark, Christopher, Agree to mediate ... or face the consequences - A review of the English courts' approach to mediation, SchiedsVZ 2003, 23 et seq.
- Orfanides, Georgios, Mediationsvereinbarungen , ZZPInt 2016, 129 et seq.
- Page Joanna./ Bonnyman, Laurel, ADR and ODR: achieving better dispute resolution for consumers in the EU, ERA Forum 2017, 145 et seq.
- Papier, Hans-Jürgen, Schiedsverfahren, Mediation, Adjudikation und andere ADR-Verfahren, IWRZ 2016, 14 et seq.
- Pitkowitz Nikolaus / Marie-Therese Richter, May a Neutral Third Person Serve as Arbitrator and

Mediator in the same Dispute?, *SchiedsVZ* 2009, 225 et seq.

- Roberts, Marian, ADR Professional: Council of Europe's Mediation Recommendation: 10th Anniversary, [2008] *Fam Law* 932 et seq.
- Rubino-Samartano, Mauro, The three mediations (light and shadow of the Italian example), *J. Int. Arb.* 2011, 485 et seq.
- Shipman, Shirley, Compulsory mediation: the elephant in the room, *C.J.Q.* 2011, 30(2), 163 et seq.
- Stegner, Marianne, Online dispute resolution: The future of consumer dispute resolution? *Yearbook on International Arbitration* 2017, 347 et seq.
- Storskrubb, Eva, Alternative Dispute Resolution in the EU: Regulatory Challenges, *European Review of Private Law*, Vol. 24, Issue 1 (2016), 7 et seq.
- Sturrock, John, The role of mediation in a modern civil justice system, *S.L.T.* 2010, 21, 111-116
- Toulmin, John, Cross-border mediation and civil proceedings in national courts, *ERA Forum* 2009, 551 et seq.
- Toulmin, John, Cross-border mediation and civil proceedings in national courts, *Const. L.J.* 2010, 26(7), 516 et seq.
- Tsikrikas, Dimitrios, Gemeineuropäisches Verfahrensrecht. Verfahrensrechtliche und kollisionsrechtliche Fragen der Mediation, *ZZPInt* 2015, 281 et seq.
- Tumbridge, James, Mediators: confidentiality and compulsion to give evidence - issues in England, *I.C.C.L.R.* 2010, 21(4), 144- et seq.
- Wagner, Gerhard, Private Law Enforcement through ADR: Wonder Drug or Snake Oil? *Common Market Law Review* 2014, 165 et seq.

International Regulation of the Banking Sector

Teaching hours and credit allocation: 30 hours, 6 credits Course assessment: exam

Aims

This is an introduction to international financial law and regulation, covering national, international, including European, and supranational legal developments in the relevant fields. The course seeks to familiarize students with the rationale, key substantive concepts and institutional aspects of International and European Financial Regulation. No previous knowledge of financial market regulation or background in financial economics is required for those wishing to follow this course, but such knowledge may certainly be of assistance.

Part I (roughly three quarters of the course) starts with a brief introduction to the economic background of banking regulation, i.e. the role of banks and financial intermediation in a modern economy; the risks associated with bank failures (for bank customers, interbank-relationships, payment and securities markets and macroeconomic stability), as well as to central policy questions arising in this regard. This will be followed by an overview of the relevant international standards, in particular, the Basel Capital Accords devised by the Basel Committee on Banking Supervision, the Basel Core Principles for Effective Banking Supervision, and standards related to the internal corporate governance of credit institutions (including on directors' compensation) promulgated by the Basel Committee and the Financial Stability Board. As an example for implementation of such standards in a specific legislative environment, a focus will then be on how these various standards have been transposed into EU law by way of directives and regulations. In particular, Directive 2013/36/EU on access to the activity of credit institutions and the prudential supervision of credit institutions and investment firms and Regulation EU no. 575/2013 on prudential requirements for credit institutions and investment firms – i.e., the main legal instruments for the harmonization of banking regulation within the European Union will be discussed and evaluated against the lessons learnt in the recent global financial crisis. Additional legal instruments, such as the Deposit Insurance Directive and the Bank Recovery and Resolution Directive, will also be considered so as to provide students with an up to date account of the on-going financial reform both within EU and beyond. In addition, students will also receive an introduction to the supervisory infrastructure established within the European Union (i.e., the Supervisory Authorities at the EU level as well as the specific infrastructure in place within the Monetary Union, the “Banking Union”).

Part II then turns to an introduction to global and European monetary law, with a strong emphasis on the European monetary framework (both internally within the Eurozone as well as the external aspects of the European Economic and Monetary Union, i.e., its relationship with the global economic and monetary order) and the law of the international monetary fund (IMF).

Learning Outcomes

On completing the course, students are expected to be able to:

- Understand the economic and legal foundations of the European Monetary Union;
- Understand the European Law of financial and banking systems;
- Critically evaluate the penetration of EU law into national legal orders (especially into national banking law);
- Understand the legal environment where corporations, financial institutions and other business entities operate at EU level;
- Understand the structure of international monetary and financial integration, the law and workings of the IMF and the laws and regulations affecting central banking;
- Follow future legal developments in the area of European banking and monetary law;
- Understand the peculiarities of harmonization in the various areas of banking and financial law;
- Conduct research in primary and secondary sources of EU law;

Content

- Legal foundations of European economic systems and integration
- Legal foundations of the single European financial market;
- The harmonization of European banking law;
- The harmonization of European securities and capital markets law;
- The harmonization of European corporate law;
- The history of monetary integration in Europe and the institutions of the EMU;
- The role of the European Central Bank in monetary and financial stability;
- Economic policy coordination in the EMU;
- The external aspects of EMU;
- Monetary stability and crisis management in the EMU.

Reading

Books

- Andenas, M. / Chiu, I. (2014), *The Foundations and Future of Financial Regulation*, Routledge, London, UK;
- Armour, J. et al. (2016), *Principles of Financial Regulation*, Oxford University Press, Oxford, UK,
- Barnard, C. / Scott J. (eds) (2002), *The Law of the Single European Market: Unpacking the Premises*, Hart Publishing, Oxford, UK;
- Binder, J.-H. / Singh, Dalvinder (eds), *Bank Resolution: The European Regime*, Oxford University Press, Oxford, UK;
- Binder, J.-H. / Gortsos, Ch. (2016), *The European Banking Union: A Compendium*, Nomos / C.H. Beck / Hart Publishing, Baden-Baden, Germany;
- Busch, D. / Ferrarini, G. (eds) (2015), *European Banking Union*, Oxford University Press, Oxford, UK;
- Chalmers, D. / Hadjiemmanuil, C. / Monti, M. / Tomkins, A. (2006), *European Union Law*, Cambridge University Press, Cambridge, UK;
- Gortsos, Ch. (2012), *Fundamentals of Public International Financial Law*, Nomos, Baden-Baden, Germany;
- id. (2015), *The Single Supervisory Mechanism (SSM)*, EPLO, Athens, Greece;
- Haentjens, M. / de Gioia-Carabellese, P. (2015), *European Banking Financial Law*, Routledge, London, UK;
- Lastra, R. (2015), *International Financial and Monetary Law*, Second Edition, Oxford University Press, UK.

Journals

- Avgouleas E., *Critical Evaluation of the New EC Financial-Market Regulation: Peaks, Troughs and the Road Ahead*, 18 *Transnational Lawyer* 179 (2005);
- Binder, Jens-Hinrich: *Resolution: Concepts, Requirements and Tools*, Chapter 2, in: Binder & Singh, *supra*, available at SSRN: <http://ssrn.com/abstract=2499613>;
- id.: *Resolution Planning and Structural Bank Reform within the Banking Union* (December 18, 2014), in: *European Banking Union. Prospects and challenges* (Juan Castaneda, Giannoula Karamichailidou, David Mayes, Geoffrey Wood, eds.), Routledge, London, UK; available at SSRN: <http://ssrn.com/abstract=2540038>;
- id.: *Cross-Border Coordination of Bank Resolution in the EU: All Problems Resolved?* (September 11, 2015). Available at SSRN: <http://ssrn.com/abstract=2659158>
- id.: *Proportionality at the Resolution Stage: Calibration of Resolution Measures and the Public Interest Test* (July 3, 2017); available at SSRN: <https://ssrn.com/abstract=2990379>
- Corcoran, A. /Hart, T., *Regulation of Cross-Border Financial Services in the EU Internal Market*, 8 *Columbia Journal of European Law* 21 (2002);
- Dejmek, P., *EU Internal Market for Financial Services: A Look at the First Regulatory Responses to the Financial Crisis and a View to the Future*, 15 *Columbia Journal of European Law* 455 (2008);
- De Vicuna, A., *Legal Integration of Financial Markets of the Euro Area*, 12 *European Business Law Review* 223 (2001);
- Enriques, L./ and Gatti, M. *Is There a Uniform EU Securities Law after the Financial Services Action Plan*, 14 *Stanford Journal of Law, Business and Finance* 43 (2009);
- Herdegen, M., *Legal Challenges for Transatlantic Economic Integration*, 45 *Common Market Law Review* 1581 (2008);
- Lastra, R., *Evolution of the European Central Bank*, 35 *Fordham International Law Journal* 1260 (2012);
- Moellers, T., *The Role of Law in European Integration*, 48 *American Journal of Comparative Law* 678 (2000);
- Riesenfeld, S., *Legal Systems of Regional Economic Integration*, 20 *Hastings International and Comparative Law Review* 529 (1996);
- Ryvkin, B., *Saving the Euro: Tensions with European Treaty Law in the European Union's Efforts to Protect the Common Currency*, 1 *Cornell International Law Journal* 45 (2012);
- Verdier, P.H., *Mutual Recognition in International Finance*, 52 *Harvard International Law Journal* 55 (2011);
- Witte, B., *Sovereignty and European Integration: The Weight of Legal Tradition*, 2 *Maastricht Journal of European and Comparative Law* 145 (1995);
- Zavvos, G., *Banking Integration and 1992: Legal Issues and Policy Implications*, 31 *Harvard International Law Journal* 463 (1990).

Institutional Banking Law: Banking Services-Credit Assurance-Bank Surveillance- Consumer Protection in the Banking Sector

Teaching hours and credit allocation: 30 hours, 6 credits Course assessment: exam

Aims

The course will cover the causes and key events of the 2007-2009 global financial crisis. It will explore how the crisis has re-shaped the regulatory agenda and provide a general context for the reform debate. Second, the course will consider the nature of prudential regulation of banking institutions and examine, in particular, the role of capital and liquidity in the maintenance of bank soundness and safety. The role of global standard setters, and EU legislators and regulators will also be discussed in terms of maintaining financial stability. Third, the module will examine the design and operation of regulatory authorities and structures more generally, including the introduction of crisis management regimes ('bank resolution regimes') for handling distressed banks, with a focus on the EU Banking Union as well as the institutional organisation in the United Kingdom. To this end, the course will also look into recent bank resolution cases internationally and seek to critically evaluate their causes and authorities' responses. The fourth part of the course concerns bank corporate governance issues, such as ethics and remuneration structures: the course will look at the way banks are run and manage risks, including the failures in governance during the 2007-2009 financial crisis and the subsequent regulatory initiatives to address these failures. Finally, the course will discuss the relationship between banks and their customers, focusing on depositor protection arrangements and their evolution since the global financial crisis.

Learning outcomes

On completing the course, students are expected to be able to:

- Understand the key events surrounding the 2007-2009 global financial crisis and different aspects of the post-crisis regulatory agenda;
- Understand the objectives of prudential regulation of banks, and the distinction between prudential regulation and consumer protection;
- Have an overview of international standards relating to bank capital and bank liquidity;
- Understand and critically evaluate the institutional architectures of regulatory authorities in the European Union;
- Understand the objectives and key elements of bank resolution regimes and critically discuss recent bank failure cases;
- Understand basic legal concepts in relation to bank corporate governance; and
- Compare different approaches to prudential regulation and supervision across jurisdictions.

Content

- Causes of 2007-2009 global financial crisis;
- Regulatory reform agenda post-crisis;
- Objectives of prudential regulation;
- Bank capital and bank liquidity;
- Regulatory architecture in EU Banking Union and UK;
- Bank resolution;

- Bank corporate governance;
- Depositor protection.

Reading

- G.B. Gorton, 'Slapped in the Face by the Invisible Hand: Banking and the Panic of 2007' (May 9, 2009). Available at: SSRN: <https://ssrn.com/abstract=1401882>
- Speech by M. Carney, 'The future of financial reform' (Monetary Authority of Singapore Lecture, 17 November 2014). Available at: http://www.mas.gov.sg/~media/resource/news_room/speeches/Speech%20by%20Mr%20Mark%20Carney%20Governor%20of%20the%20Bank%20of%20England%20and%20Chair%20of%20the%20Financial%20Stability%20Board%20at%20Monetary%20Authority%20of%20Singapore%20Lecture%202014.pdf
- E. Ferran, 'Institutional Design: The choices for national systems', in Moloney, Ferran and Payne, The Oxford Handbook of Financial Regulation (2015), pp. 97-128. E-book available at: <http://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199687206.001.0001/oxfordhb-9780199687206-e-6>
- B. Ferguson, 'Personal accountability of bankers' (2015) 9 Law & Financial Markets Review 40
- N. Kleftouri, Deposit Protection and Bank Resolution (2015), chapter 8. E-book available at: <https://global.oup.com/academic/product/deposit-protection-and-bank-resolution-9780198743057?cc=gr&lang=en&#>

European & International Competition Law / Antitrust Law

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

This course aims at enabling students to learn about the principles, the underpinning policies and the functioning of European and international competition law. Competition law constitutes one of the most important aspects of the European Union and has a significant influence on European business and industry. EU competition policy ensures that competition is not distorted in the internal market by ensuring that similar rules apply to all the companies operating within it.

Title VII, chapter I, of the Treaty on the Functioning of the European Union lays down the basis for the EU rules on competition. This course will examine in detail almost all elements of EU competition law. The

¹ Further reading will be given well in advance of each lecture.

control of monopoly and oligopoly and merger control are some areas that present great interest for the lawyer aspiring to practice competition law. Anti-competitive agreements and various other anti-competitive practices attract the interest of competition lawyers. Through a careful examination of the case law, students will see how competition law facilitates competition. References to domestic competition laws will be made, wherever this is necessary. Students will also examine the principles of economics underpinning competition law. International dimensions of competition law will also be analysed.

Learning outcomes

On completing the course students will be able to:

- ▣ identify the goals of EU competition law;
- ▣ understand how the law governs business practices that may restrict competition;
- ▣ understand how competition law can stop anti-competitive practices;
- ▣ understand private and public enforcement;
- ▣ critically evaluate the economic principles behind anti-competitive practices;
- ▣ solve practical problems with regard to competition;
- ▣ draw conclusions from case law;
- ▣ criticize the approach of competition law to certain anti-competitive practices;
- ▣ understand the practice of governmental bodies in the implementation of competition law.

Content

- ▣ Introduction to competition law and policy;
- ▣ Antitrust economics;
- ▣ Cartel agreements, concerted practices and the abuse of monopoly;
- ▣ Horizontal & vertical agreements;
- ▣ Abuse of dominant position;
- ▣ Oligopolies, tacit collusion and unilateral action;
- ▣ Mergers and acquisitions;
- ▣ The European Merger Regulation;
- ▣ Procedure, enforcement and remedies;
- ▣ Enforcement of competition law through private enforcement and via the investigations of the European Commission;
- ▣ Enforcement and the international dimension;
- ▣ The international dimension: extraterritoriality, cooperation & globalisation;
- ▣ Competition law and the state;
- ▣ Rules applicable to state aid;
- ▣ Rules applicable to specific sectors (Agriculture, Energy, Postal services, Telecommunications, Transport);
- ▣ An introduction to US antitrust law (US antitrust regime and its main regulatory instruments, the Sherman Antitrust Act).

Reading

- ▢ Rose, V., Bellamy & Child: *European Community Law of Competition*, 6th ed., Oxford University Press, UK.
- ▢ *Blackstone's UK and EC Competition Documents* (2007), 5th ed., Oxford University Press, UK.
- ▢ Bork, R. (1978), *The Antitrust Paradox*, Free Press, USA.
- ▢ Ezrachi, A. (2008), *EC Competition Law, An analytical guide to the leading cases*, Hart publishing, Oxford, UK.
- ▢ Jones, A. / Sufrin, B. (2008), *EC Competition Law: Text, Cases and Materials* 3rd ed., Oxford University Press, UK.
- ▢ Korah, V. (2007), *EC Competition Law and Practice* 9th ed., Hart publishing, Oxford, UK.
- ▢ Motta, M. (2004), *Competition Policy: Theory and Practice*, Cambridge University Press, UK.
- ▢ Posner, R.A. (2001), *Antitrust law* 2nd ed., University Of Chicago Press, USA.
- ▢ Whish, R. (2008), *Competition Law*, Oxford University Press, UK.
- ▢ Wu, L. (2004), *Economics of Antitrust*, National Economic Research Associates.

Mediation and Ombudsman scheme in the Banking Sector

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

This course draws together the knowledge and skills gained in “Mediation, ADR & ODR Law” and aims to provide students with an insight into Ombudsman schemes in the Banking Sector. The aim of this module is to further explore ADR in the financial sector, by appraising and comparing international theories and schemes. The module will address various regulatory issues, practical problems and recent developments associated with mediation and ADR in the Banking Sector. Students will also examine if the Ombudsman Service is a viable alternative to courts, by taking into account relevant consumer protection issues.

Learning outcomes:

Students will be able to:

- ▢ understand the possibility of solving a banking law dispute outside a court system;
- ▢ demonstrate a knowledge and understanding of the dynamics of mediation & ADR in the banking

- sector;
- understand the different types of provisions that may have to be taken into account in an Ombudsman scheme procedure;

- understand the reasons for which Ombudsman schemes in the Banking Sector are introduced;
- focus on possible implications of the ADR Directive in resolving disputes of the Banking Sector;
- implement the acquired knowledge into their everyday practice as legal experts;
- follow future legal developments in the respective scientific field;
- recognize the risks, the structuring of procedure and the regulation of mediation & Ombudsman schemes in the Banking Sector.

Content

- Options for the Settlement of Banking Disputes;
- Key Aspects of Mediation in the Banking Sector;
- Other Relevant ADR Mechanisms;
- Ombudsman Schemes in the Banking Sector;
- Type of Complaints Resolved; Dispute Settlement;
- Ombudsman's Powers and Jurisdiction;
- Procedural Principles: Filing a Complaint; Investigating a Complaint;
- Fairness, Independence and Impartiality;
- Code of Ethics etc.

Reading

Books

In addition to the sources already used in the Transnational Commercial Law I course, the following specialized readings are of great interest:

- Allen, T. (2013), Mediation law and civil practice, Tottel Publishing, UK;
- American Arbitration Association (2016), Handbook on Mediation, 3rd edition, Juris Publishing, USA;
- Ade, J. (2017), Mediation und Recht: eine Einführung in die Mediation und ihre rechtlichen Grundlagen, Wolfgang Metzner Verlag, Germany;
- Eidenmüller, H./Wagner, G. (2015), Mediationsrecht, Otto Schmidt, Germany;
- Jeffrey Golden and Carolyn Lamm, International Financial Disputes - Arbitration and Mediation, 2015, OUP;
- Ali, Shahla F., Consumer Financial Dispute Resolution in a Comparative Context: Principles,

Systems and Practice (2013). Cambridge University Press;

- [http://siteresources.worldbank.org/EXTFINANCIALSECTOR/Resources/Financial_Ombudsmen_Vol I_Fundamentals.pdf](http://siteresources.worldbank.org/EXTFINANCIALSECTOR/Resources/Financial_Ombudsmen_Vol_I_Fundamentals.pdf)

Articles

- De Palo, Giuseppe / D'Urso, Leonardo, Explosion or bust? Italy's new mediation model targets backlogs to "eliminate" one million disputes annually, *Alternatives* 2010, 93 et seq.
- Lightman, Gavin, Mediation: an approximation to justice, *Arbitration* 2007, 73(4), 400 et seq.
- Lindblom, Per Henrik, ADR - The opiate of the legal system?, *ERPL* 2008, 63 et seq.
- Sturrock, John, The role of mediation in a modern civil justice system, *S.L.T.* 2010, 21, 111-116
- The Greek banking code of conduct: the nature and the principles of the legislative intervention in private autonomy within credit agreements (Legislative Comment), Citation: *J.I.B.L.R.* 2015, 30(12), 681-685
- Commercial financial dispute resolution platform: a palliation or panacea for consumers of financial services?, Citation: *J.I.B.L.R.* 2017, 32(5), 200-211
- What do we expect from an ombudsman? Narratives of everyday engagement with the informal justice system in Germany and the UK, Citation: *Int. J.L.C.* 2016, 12(4), 437-452
- The office of Ombudsman - playing a vital role in the development of alternative dispute resolution processes, Citation: *Const. L.J.* 2016, 32(5), 501-505
- Definition of "consumer" in the context of the jurisdiction of the Financial Ombudsman Service, Citation: *B.J.I.B. & F.L.* 2015, 30(1), 54-55
- Crossing the legal Rubicon: the battle for control over oral hearings at the Financial Services Ombudsman Bureau, Citation: *H.L.J.* 2014, 13, 32-57

Elective Course Details

Legal Aspects of International Finance

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

The aim of this course is to provide the students with a concrete knowledge of the law relating to international finance. Financial law has a major impact on modern economies given that the amounts involved in international finance are truly enormous (financial flows are much bigger than trade flows). General principles of the regulation of international finance, as well as specific transactions and parts of international financial markets will be discussed. Some of these are title finance, financial supervision, derivatives, securitizations, payment and securities settlement systems. Moreover, this course aims at scrutinizing the legal foundations of retail and investment banking, the role financial institutions and the significance of credit. Understanding this area of law is particularly important, especially after the Global Financial Crisis. This course is addressed to students who are concerned with international financial law on a global scale. The legal aspects of international finance are particularly attractive for all lawyers dealing with complex financial transactions and credit. This course offers a thorough analysis of financial policies, of legal solutions adopted by the legislature and of the structure of specific financial transactions. Reference is made to detailed jurisdictions and comparative conclusions are drawn, wherever it is necessary.

Learning outcomes

On completing the course students will be able to:

- ▣ Understand the structure of international finance;
- ▣ Discern which aspects of international finance are crucial from a legal point of view;
- ▣ Understand the legal aspects of the global financial crisis;
- ▣ Understand the identity and the basic characteristics of the various financial transactions;
- ▣ Understand how international financial transactions are conducted;
- ▣ Understand that many areas of international finance are interconnected;
- ▣ Understand how global capital markets operate;
- ▣ Deal with specific legal problems of international finance;
- ▣ Use synthesis and distillation for answering complex financial law questions;
- ▣ Understand the differences between jurisdictions with regard to finance;
- ▣ Understand the provision of credit, as well as the role of the main actors in the field of international finance, i.e., financial institutions and banks.

Content

- ▣ Comparative aspects of international finance: Legal families - various jurisdictions;
- ▣ International finance and insolvency;
- ▣ International loans and bonds;
- ▣ Syndicated bank loans;
- ▣ Covenants, negative pledge, pari passu clause, restrictions on disposals, financial covenants;
- ▣ Events of default and various clauses;
- ▣ Loan transfers and participations;

- ▣ International bond issues;
- ▣ Special purpose finance;
- ▣ Set-off and netting;
- ▣ Mutuality and interveners;
- ▣ Security interests;
- ▣ Title finance;
- ▣ International finance and trusts;

Financial regulation: general regulatory policies and scope;

- ▣ Regulation of conduct of investment business;
- ▣ Prospectuses: regulatory issues;
- ▣ Insider dealing, market abuse and other investment frauds;
- ▣ Capital adequacy-financial supervision;
- ▣ Legal aspects of derivatives;
- ▣ Securitizations;
- ▣ Payment and securities settlement systems;
- ▣ Private international law - law governing financial contracts - Judicial jurisdiction.

Reading

- ▣ Avgouleas E. (2012), *Governance of Global Financial Markets*, Cambridge University Press, UK;
- ▣ Benjamin J. (2007), *Financial Law*, Oxford University Press, UK;
- ▣ Blair, M., QC/ Walker, G. / Purves, R. (2009), *Financial Services Law* 2nd ed., Oxford University Press, UK;
- ▣ Bamford C. (2011), *Principles of International Financial Law* (student version) Oxford University Press, UK;
- ▣ Ellinger, E.P/ Lomnicka, E. / Hare, C. (2009), *Ellinger's Modern Banking Law*, 5th ed., Oxford University Press, UK;
- ▣ Goodhart G. et al (1998), *Financial Regulation: Why, How and Where Now?* (London Routledge 1998);
- ▣ Hudson A. (2013), *Law of Finance*, 2nd edition, Sweet & Maxwell, UK;
- ▣ McCormick R. (2010), *Legal Risk in the Financial Markets* Oxford University Press.
- ▣ Ramos-Munoz, D./ Ingram, K. (2010), *The Law of Transnational Securitization*, Oxford University Press, UK;
- ▣ Scott, H. (2009), *International Finance-Transactions, Policy and Regulation*, 16th ed. Foundation Press, USA;
- ▣ Scott H./ Gelpern A. (2012), *International Finance: Law and Regulation*, 3rd edition, Sweet & Maxwell, UK;

- Tennekoon, R. (2004), *The Law and Regulation of International Finance*, Butterworths, UK;
- Wood, P. (2007), *Regulation of International Finance*, 2nd edition, Sweet & Maxwell, UK;
- Wood, P. (2007), *International Loans, Bonds, Guarantees and Legal Opinions*, 2nd ed., Sweet & Maxwell, UK.

European Procedural Law

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

This course aims at examining the influence of EU Law on procedural law, both civil and criminal. Apart from institutional considerations, various pieces of secondary Union legislation will be discussed. This course will analyze EU and international legal instruments harmonizing issues with regard to jurisdiction in torts and in the field of contracts. This knowledge is essential for a lawyer wanting to deal with international commercial transactions. Moreover, students will have the opportunity to focus on criminal procedural issues which are becoming increasingly important as the fight against crime becomes pan-European. The foundations of these Union activities are based on the area of freedom, security and justice (Title V of the Treaty on the Functioning of the European Union). Students will study, in detail, institutional, substantive and procedural aspects of judicial cooperation in civil matters and of judicial cooperation in criminal matters. Judicial cooperation in civil matters seeks to abolish barriers deriving from incompatibilities between the various legal and administrative systems, and thus facilitate access to justice. During classes, emphasis will be given on the principle of mutual recognition and enforcement of judgments and of decisions resulting from extrajudicial cases. Judicial cooperation in criminal matters is based on the principle of mutual recognition of judgments and judicial decisions by Member States. It involves the approximation of related national laws and the application of common minimum rules. Additionally, the enforcement and remedies in EU law, as well as the direct jurisdiction of the European Court of Justice will be discussed.

Learning outcomes

On completing the course students will be able to:

- understand that individuals and businesses should not be prevented or discouraged from exercising their rights by the incompatibility or complexity of legal and administrative systems in the Member States;
- understand the European rules of private international law applying to civil and commercial matters;
- understand the issues that might arise in civil and commercial proceedings involving more than one state;
- understand that the aims of judicial cooperation in civil matters in this area are legal certainty and equal access to justice for all EU citizens;

- ▣ critically evaluate the system of judicial protection under EU law;
- ▣ recognize the need for further harmonization of civil procedure on a European and global scale;
- ▣ examine if European legislature fulfils the following objectives: easy identification of the competent jurisdiction, clear designation of the applicable law, availability of speedy and fair proceedings and effective enforcement procedures;
- ▣ Understand the significant evolution of judicial cooperation in criminal matters;
- ▣ Understand that criminal behaviours must be approached in the same way at EU level;
- ▣ Critically evaluate directives aiming at the approximation of the laws and regulations of the Member States in criminal matters;
- ▣ recognize that the areas of particularly serious crime with a cross-border dimension are the following: terrorism, trafficking in human beings and sexual exploitation of women and children, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organized crime;
- ▣ Understand Eurojust's mission;
- ▣ Read and understand the police cooperation of the EU;
- ▣ Understand the functioning of the European arrest warrant and especially the practical issues arising from its use.

Content

- ▣ European small claims procedure;
- ▣ European order for payment procedure;
- ▣ European enforcement order for uncontested claims;
- ▣ Jurisdiction, recognition and enforcement of judgments in civil and commercial matters ("Brussels I");
- ▣ Jurisdiction, recognition and enforcement of judgements in matrimonial matters and matters of parental responsibility ("Brussels II");
- ▣ Insolvency proceedings;
- ▣ Alternative dispute resolution: mediation;
- ▣ Strengthening cooperation with Switzerland, Norway and Iceland: the Lugano Convention (2007);
- ▣ Service of judicial and extrajudicial documents;
- ▣ Taking of evidence in civil and commercial matters;
- ▣ European Judicial Network in civil and commercial matters;

- ▣ The law applicable to contractual obligations – The Rome I Regulation;
- ▣ The law applicable to non-contractual obligations – The Rome II Regulation;
- ▣ Applicable law and jurisdiction in matrimonial matters;
- ▣ Eurojust;
- ▣ The right to interpretation and translation in criminal proceedings;
- ▣ Jurisdiction in criminal proceedings: prevention and settlement of conflicts;
- ▣ Mutual recognition of supervision measures;
- ▣ European evidence warrant (EEW);
- ▣ Supervision of sentenced persons or persons on conditional release;
- ▣ Mutual recognition of custodial sentences and measures involving deprivation of liberty;
- ▣ Recognition and execution of confiscation orders;
- ▣ Mutual recognition of financial penalties;
- ▣ Execution of orders freezing property or evidence;
- ▣ European arrest warrant;
- ▣ Judicial Review and indirect challenge before national courts;
- ▣ Fines and penalty payments on Member States for breaches of EU law;
- ▣ the enforcement and remedies in EU law;

Reading

- Andenas, M. / Andrews, N. / Nazzini, R. (2004), *The Future of Transnational Civil Litigation*, English Responses to the ALI/UNIDROIT Draft Principles and Rules of Transnational Civil Procedure, British Institute of International & Comparative Law, UK.
- Fijnaut, C. / Ouwerkerk, M. (eds.) (2010), *The future of police and judicial cooperation in the European Union*. Leiden: M. Nijhoff, the Netherlands.
- Grubbs, S.R. (2003), *International Civil Procedure*, Kluwer Law International, the Netherlands.
- Kronke, H. / Nacimiento, P. and others (2010), *Recognition and Enforcement of Foreign Arbitral Awards: A Global Commentary on the New York Convention*, Kluwer Law International, the Netherlands.
- Kruger, T. (2008), *Civil Jurisdiction Rules of the EU and their Impact on Third States*, Oxford University Press, UK.
- Magnus, U. / Mankowski, P. (2007), *European Commentaries on Private International Law-Brussels I Regulation*, Sellier European Law Publishers.
- Magnus, U. / Mankowski, P. (2009), *European Commentaries on Private International Law-Brussels II Regulation*, Sellier European Law Publishers.
- Micklitz, H. W. (2005), *The Politics of Judicial Co-operation in the EU – Sunday Trading, Equal Treatment and Good Faith*, Cambridge University Press, UK.
- Schermers, H. G. / Waelbroeck, D. F. (2000), *Judicial Protection in the European Union*, 6th ed., Kluwer Law International, the Netherlands.

Intellectual Property Law (Copyright Law & Industrial Property Law) – Patents, Utility Model Certificates, Industrial Designs)

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

The aim of this course is to introduce students to the legal regulation of intellectual products. IP rights are valuable assets for individuals and businesses. They can include inventions, processes, software, images, symbols, names, artistic works, etc. The course will examine regional and international arrangements in the field of intellectual property law, while comparisons will be made between international and national approaches. IP rights need to be protected against infringement, eventually in the courts. If properly protected, IP rights can offer a competitive advantage or considerable revenue streams through their commercial exploitation. Intellectual property is a dynamic and rapidly evolving area of law, thus the focus will be on new legal developments in the field.

Learning Outcomes

On completing this course, students will:

- ▣ Understand the importance of innovation and appreciate the incentives for creativity;
- ▣ Understand the need not to unduly restrict the diffusion of intellectual products;
- ▣ Understand the differences between the specific areas of IP law (trade secrets, trademark, copyright, industrial design, patent) and the justification for each type of right;
- ▣ Be able to identify the areas of legal risk, as far as IP law is concerned, in operating an international business and in undertaking international transactions;
- ▣ Explore major intellectual property statutes and international instruments, as well as international jurisprudence in the field of IP law.

Content

- ▣ Origins and historical development of intellectual property law;
- ▣ International institutions concerned with intellectual property law: World Intellectual Property Organisation, WTO, EU and other regional initiatives;
- ▣ Sources of intellectual property law: international conventions concerned with intellectual property law;
- ▣ The TRIPS Agreements; coverage; minimum standards of protection; civil, criminal, and border enforcement; dispute settlement mechanism.
- ▣ EU law and EPO decisions;
- ▣ Essential features of an intellectual property regime;
- ▣ Registration, standards for infringement, procedural and remedial advantages;

- ▣ Foreign and international filings;
- ▣ Preventing intellectual property infringement; confidentiality agreements;
- ▣ IP piracy and counterfeiting; the size of the market; combating the problem;
- ▣ The relationship between intellectual property law and other branches of law;
- ▣ The protection of trade secrets; enforcement and remedies;
- ▣ The protection of trademarks; enforcement and remedies;
- ▣ The protection of copyright, with special reference to the challenges of the internet;
- ▣ The protection of patents, with special reference to biotechnology; the issue of indigenous knowledge;
- ▣ European Patent Convention; ancillary regulations to the EPC; Unitary patent / EU patent;
- ▣ Attacking IP protections; the role of the pharmaceutical industry in the developing world;
- ▣ Litigation and ADR; European Patent Litigation Agreement; evidentiary issues in IP law.

Reading

Books:

- ▣ Barrett, M. (2006), *Cases and Materials on Intellectual Property*, 3rd ed., West Group;
- ▣ Biagioli, M. et al. (2011), *Making and Unmaking Intellectual Property: Creative Production in Legal and Cultural Perspective*, University Of Chicago Press;
- ▣ Goldstein, P. (2008), *International Intellectual Property Law, Cases and Materials*, 2nd ed., Foundation Press;
- Guan W.,(2014) *Intellectual Property Theory and Practice: A Critical Examination of China's TRIPS Compliance and Beyond*, Springer Verlag-Berlin Heidelberg.
- ▣ Kieff, F. / Nack, R. (2009), *International US & European Intellectual Property 2010-2011*, Aspen Publishers, Inc;
- ▣ Merges, R. et al. (2009), *Intellectual Property in the New Technological Age*, 5th ed., Aspen Publishers;
- ▣ Palfrey, J. (2011), *Intellectual Property Strategy*, MIT Press;
- ▣ Weiler, P. (2006), *Entertainment, Media and the Law: Text, Cases And Problems*, 3rd ed., West Group.

Articles:

- ▣ Austin, G. (2005), Intellectual Property Politics and the Private International Law of Copyright Ownership, *Brooklyn Journal of International Law*, vol. 30, p. 899 ff;
- ▣ Barbosa, D. et al. (2007), Slouching Towards Development in International Intellectual Property, *Michigan State Law Review*, vol. 2007, p. 71 ff;
- ▣ Biggers, S. et al. (1999), Intellectual Property and Antitrust: A Comparison of Evolution in the European Union and United States, *Hastings International and Comparative Law Review*, vol. 22, p. 209 ff;
- ▣ Chon, M. (2006), Intellectual Property and the Development Divide, *Cardozo Law Review*, vol. 27, p. 2821 ff;
- ▣ Dinwoodie, G. / R. Dreyfuss (2004), TRIPS and the Dynamics of Intellectual Property Lawmaking, *Case Western Reserve Journal of International Law*, vol. 36, p. 95 ff;
- ▣ Gervais, D. (2005), Intellectual Property, Trade & Development: The State of Play, *Fordham Law Review*, vol. 74, p. 505 ff;
- ▣ Yu, P. (2004), Currents and Crosscurrents in the International Intellectual Property Regime, *Loyola of Los Angeles Law Review*, vol. 38, p. 323 ff.

EU Consumer Law

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

The aim of this course is to study the process of market integration in the EU from the consumer's point of view. The course examines the mechanisms that are supposed to ensure that the EU marketplace provides consumers with quality goods and services at optimal prices. The rise of consumerism is a response to the vulnerability of consumers and the need to protect them against dangerous products, fraudulent and deceptive practices, unconscionable contracts, etc. Consumer protection throughout the European marketplace is a significant issue in the EU policy agenda. From product liability and consumer contracts to labelling and advertising, the course provides a comprehensive analysis of EU legislation and policies affecting consumers.

Learning Outcomes

- Appreciate the size of the EU market, the need for consumer protection and the need for harmonising rights of consumers;
- Understand the paradigm of the informed consumer;
- Understand the mechanisms of individual and collective consumer protection;
- Explore the relevant legal instruments;
- Explore important judgements of the European Court of Justice on consumer law;

Content

- Origins and evolution of EU Consumer Law;
- Sources of EU Consumer Law; the consumer law directives;
- The process towards the adoption of the Directive on Consumer Rights;
- Selected European Court of Justice cases;
- The relationship between consumer law and competition law;
- Unfair commercial practices, with special reference to misleading advertising and aggressive sales practices;
- Product liability / liability for defective products;
- Product safety, with focus on food safety;

- ▣ The General Product Safety Directive;
- ▣ Sector-specific legislation: chemicals, pharmaceuticals, cosmetics, toys, etc.
- ▣ EU rapid alert systems for dangerous consumer products;
- ▣ Major food scandals and alarms;
- ▣ Market surveillance; strengths and weaknesses of the current framework;
- ▣ European Committee for Standardisation and other standard-setting bodies at national and European level;
- ▣ Sale of goods and services, with special reference to e-commerce;
- ▣ The Electronic Commerce Directive;
- ▣ Consumer protection in the field of financial services;
- ▣ Consumer protection in the fields of travel and tourism;
- ▣ The EU Consumer Policy Strategy 2007-2013;
- ▣ Imports into the EU from third countries; the role of custom authorities;
- ▣ Cross-border enforcement; the Regulation on consumer protection cooperation;
- ▣ The OECD cross-border fraud guidelines;
- ▣ Litigation, remedies and enforcement;
- ▣ Towards a European approach to collective redress, injunctive relief and compensatory relief; creating “class actions” along the US model?
- ▣ The role of European consumer organisations;
- ▣ Alternative dispute resolution for consumers in the internal market.

Reading

Books

- ▣ Davies, J. (2011), *The European Consumer Citizen in Law and Policy*, Palgrave Macmillan;
- ▣ Micklitz, H. et al. (2009), *Understanding EU Consumer Law*, Intersentia;
- ▣ Micklitz, H. et al. (2010), *Cases, Materials and Text on Consumer Law: lus Commune Casebooks for a Common Law of Europe*, Hart Publishing, Oxford, UK;
- ▣ Nebbia, P. /Askham, T. (2007), *EU Consumer Law*, Oxford University Press, UK;
- ▣ Schulte-Nilke, H. (2002), *Casebook on European Consumer Law*, Hart Publishing, Oxford, UK;
- ▣ Weatherill, S. (2006), *EU Consumer Law and Policy*, Edward Elgar Publishing.

Articles

- ▣ Alexandridou, E. (1997), Implementation of the EC Directive on Unfair Contract Terms in Greece, *European Review of Private Law*, vol. 1997, p. 173 ff;
- ▣ Bourgeois, J. / Strievi, S. (2010), EU Competition Remedies in Consumer Cases: Thinking out of the Shopping Bag, *World Competition Law and Economics Review*, v. 33, n. 2, p. 241ff;
- ▣ Davies, J. (2009), Entrenchment of New Governance in Consumer Policy Formulation: A Platform for European Consumer Citizenship Practice? *Journal of Consumer Policy*, v. 32, n. 3, p. 245 ff;
- ▣ Moreno, G. P. (2010), Product Liability: Jurisdiction and Applicable Law in Cross-Border Cases in the European Union, *ERA-Forum*, v. 11, n. 1, p. 45 ff;
- ▣ Stuyck, J. (2000), European Consumer Law after the Treaty of Amsterdam: Consumer Policy in or beyond the Internal Market? *Common Market Law Review*, vol. 37, p. 367 ff;
- ▣ Weimer, M. (2010), Applying Precaution in EU Authorisation of Genetically Modified Products: Challenges and Suggestions for Reform, *European Law Journal*, v. 16, n. 5, p. 624 ff.

Banking Legal Environment

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exam

Aims

This course will discuss the nature of banking and main organizational forms of banking business. It will also discuss the bases of banking law and regulation and the basic framework and principles governing the law of bank deposits internationally. It will offer an overview (and not detailed description) of the legal aspects of bank deposits and the legal foundations of the banker-customer relationship. This course will also discuss the legal principles governing the law of bank lending internationally (with a focus on the European Union and the United States) and the legal framework of other aspects of a modern universal bank. It will focus on the rationale and principal functions and objectives of banking regulations. Focus will be placed on why banks should be regulated (by references to the 2008- 2009 international banking crisis) and what the methods and instruments of regulation are and proposals for regulatory and legal reforms. One of the most fundamental principles of banking regulation is the regulation of the capital adequacy of banks. In 1988, the Basel Committee for Banking Supervision promulgated internationally harmonized standards of capital regulation which, in one form or another, became the international standard of bank regulation around the world. Following the global banking crisis of 2008-2009, new proposals have emerged. As banks went global, banking law and regulation became increasingly subject to the pressure of the “local law and regulation” paradox: law and regulation are inherently local and territorial, whereas international banking has become global, cross- border and, more recently, virtual. This course will examine the efforts towards the globalization and international harmonization of banking law and regulation.

Finally, the course will present and discuss the legal aspects of electronic banking and finance from a comparative perspective. The advent of the Internet has transformed the delivery of banking services and created new problems (or repackaged old ones). This course will discuss the basic legal framework relating to online banking services.

The concluding class will aim to distil the main themes running through the concepts and practices of law and regulation of international banking. Internationalization and global regulatory competition, harmonization of regulatory and accounting standards, corporate governance, challenges in cross-border international enforcement and other key developments in global markets will be discussed, against the backdrop of the dramatic sovereign debt crisis that seems to be unfolding in Europe and elsewhere.

Learning Outcomes

On completion of this course, students are expected to be able to:

- ▣ understand the legal framework of banks and banking regulation in different jurisdictions;
- ▣ understand the issues relating to disputes, contracts, customer service, self regulation and property;
- ▣ understand the cross-border differences in the legal rights of creditors;
- ▣ realize the connection between banking development and the rights of creditors and the efficiency of contract enforcement;
- ▣ develop critical understanding of the evolution of the payment system in international sales and reflect on the forces shaping it;
- ▣ understand the contribution of the international banking system to the provision of an essential ingredient in international sale transactions.

Content

- ▣ Introduction to the legal framework of banks with examples of particular banks;
- ▣ Analysis of the Treaty and Relevant Protocols and Declarations regarding the legal framework of the European Central Bank;
- ▣ Establishment and expansion of banks;
- ▣ Banking consolidation and related EU directives;
- ▣ Introduction to banking regulation: Objectives and principles. Instruments and Requirements;
- ▣ Different aspects of the contract between banker and customer. The nature of the relationship between banker and customer;
- ▣ Legal rights of creditors and contract enforcement in different countries in Europe;
- ▣ Payment and payment systems, including the nature of payment, electronic funds transfer and electronic money;
- ▣ Property as security. Checks and other payment instruments;
- ▣ The role of the European Ombudsman;
- ▣ Banking development;
- ▣ Private Banking Law;
- ▣ Money laundering and anti-terrorist financing;
- ▣ Interrelation of banking legal environment and economic growth, capital accumulation

and productivity growth;

Reading

- ▣ Arora, A. (1993), *Electronic Banking and the Law*, 2nd ed., Banking Technology;
- ▣ Arora, A. (1997), *Practical Banking & Building Society Law*, Blackstone Press;
- ▣ Atkinson, M. (2000), *OECD Hits at Bank Secrecy*, Guardian Unlimited;
- ▣ Blair, J. W. / Maher F. (2010), *Butterworths Banking Law Handbook*, Butterworths;
- ▣ Brindle, M. / Cox R. (2010), *Law of Bank Payments*, Sweet & Maxwell;
- ▣ Campbell, D. (1996), *International Bank Secrecy*, Sweet and Maxwell;
- ▣ Chorley, R. (1974), *Law of Banking*, 6th ed., Sweet & Maxwell;
- ▣ Cranston, R. (2002), *Principles of Banking Law*, 2nd ed., Oxford University Press, UK;
- ▣ Cranston, R. / Blair, W., (1999), *Banks and Remedies*, 2nd ed., LLP;
- ▣ Ellinger, E.P./ Lomnicka, E. / Hooley, R.J.A (2002), *Ellinger's Modern Banking Law*, 4th ed., Oxford University Press, UK;
- ▣ Felsenfeld, C. (2007), *International Banking Regulation*, 2nd ed., Juris Publishing, USA;
- ▣ Gkoutzinis A. / Haydon, A., (2006), *Butterworths Banking Law Guide*, Butterworths;
- ▣ Good, R.M. (1985), *Electronic Banking. The Legal Implications*, The Institute of Bankers;
- ▣ Heffernan, S. (2007), *Modern Banking*, (John Wiley & Sons Ltd.);
- ▣ Hewetson, Ch. / Elliot, N. / Warne, D. (2011), *Banking Litigation*, Sweet and Maxwell;
- ▣ Howard, M. /Masefield, R. / Chuah, J., / Davies, H. (2006), *Butterworths Banking Law Guide* (Butterworths guide);
- ▣ Lambert, J. (1993), *Banking. The Legal Environment*, Routledge;
- ▣ Lastra, R.M. (2006). *Legal Foundations of International Monetary Stability*, Oxford University Press, UK;
- ▣ Lovett, W.A. (2009), *Banking and Financial Institutions Law in a Nutshell*, 7th edition, West;
- ▣ Norton, J. / Auerback, R. / Gaba, J. (1995), *Environmental Liability for Banks*, Lloyd's of London Press Ltd;

- Penn, G.A. / Shea, A.M./ Arora, A. (2001), *The Law & Practice of International Banking*, Sweet & Maxwell;
- Raby, P. (1992), *Law Relating to Banking Services*, 2nd ed., Pitman;
- Sabalot, D. / Maher, F. / Blair, W. (2009), *Butterworths Banking Law Handbook: Recession Special 2009 Supplement*, Butterworths.

Financial Crime

Teaching hours and credit allocation: 16 hours and 3 credits Course assessment: exam

Aims

The aim of this course is to provide critical understanding of the economics of crime and criminal law by establishing students' knowledge of fraud corruption and money laundering laws internationally and in the European Union. This course also aims to equip students with awareness of the risks of banks, financial institutions and the financial system being used for illegal purposes, in particular for laundering the proceeds of crime and how efforts from international and European law makers and Courts have sought to prevent such use of the financial system. The different sessions address, from both a theoretical and practical angle, issues with which lawyers, bankers, businessmen and other professionals are regularly confronted and provide an overview on the latest developments and best practice.

Learning Outcomes

On completion of this course, students are expected to be able to:

- ▣ identify the development of knowledge in fraud and financial crime;
- ▣ examine the historical and economic development of fraud corruption and money laundering related laws;
- ▣ examine the functions of fraud corruptions and money laundering;
- ▣ compare differing legal approaches to the proceeds and instruments of crime;
- ▣ develop critical skills in evaluating existing academic and professional literature on financial crime;
- ▣ understand the differences between the use of forfeiture and confiscation;
- ▣ apply the rules to specific issues or fact situations;
- ▣ develop critical understanding of the relationships between civil and criminal law in the context of fraud corruption and money laundering;
- ▣ explore the use and development of money laundering laws;
- ▣ understand the globalisation in this area and the significance of these developments for tax havens;
- ▣ develop preferences and propose solutions to current problems.

Content

- Financial Crimes (money laundering, funding of terror, corruption, non and mis-disclosure of information, forgery and falsification of documentation, aiding and abetting, interference with the Administration of Justice);
- The Risks of Financial Crime (identification, control and management of risk in the context of financial crime, risk exposure, legal and operational risk, risk impact risk and responsibility);
- The Law of Financial Crime (the approach in various jurisdictions such as in Civilian Law, in Socialist and in Developing Jurisdictions);
- money and anti-money laundering legislation;
- roles and responsibilities of transnational regulatory agencies, such as FATF and EGMONT;
- Conventions, the EC Directive on Money Laundering;
- ways in which law enforcement authorities investigate allegations of money laundering;
- Tax Offences;
- Cartels Offences;
- Cyber Crime;
- The Criminal Process (Nature, criminal investigation, prosecution of crime, proceeds of crime, disclosure and use of official information);
- The Civil and Regulatory Control of Financial Crime (Process, civil fraud, breach of trust, dishonest assistance);
- Crimes that are financially motivated (fraud by representation or conduct, misappropriation, unjust enrichment, insider dealing, market abuse, fraudulent trading, blackmail, extortion, racketeering, criminal enterprises, unfair trade practices).

Reading

Books

- ▣ Bantekas, I., / Keramidas, G. (2006), *International and European Financial Criminal Law*, Butterworths;
- ▣ Birks, P.B.H. (1995), *Laundering and Tracing*, Clarendon Press Oxford;
- ▣ Blickman, T. (2009), *Countering Illicit and Unregulated Money Flows: Money Laundering, Tax Evasion and Financial Regulation*. D. Aronson, Transnational Institute;
- ▣ Bosworth, D. / Saltmarsch, G. (1994), *Money Laundering*, Chapman & Hall;
- ▣ Coffee, J. (2006), *Gatekeepers: The Professions and Corporate Governance*, Oxford University Press, UK;
- ▣ Green, S. (2005), *Lying, Cheating and Stealing: A Moral Theory of White Collar Crime*, Oxford University Press, UK;
- ▣ Heimann, F. / Dell, G. (2010), *Progress report 2010: enforcement of the OECD Convention on combating bribery of foreign public officials in international business*, www.transparency.org;
- ▣ Klein, P. (1999), *United Nations International Convention for the Suppression of the Financing of Terrorism*, United Nations Audiovisual Library of International Law;
- ▣ Schott, P. Al. (2006), *Reference Guide to Anti-Money Laundering and Combating the Financing of Terrorism*, World Bank Publications.

Articles

- ▣ Bantekas, I., The International Law of Terrorism Financing, *American Journal of International Law*, vol. 79, p.p. 315-333;
- ▣ Baughn, C. (2010), Bribery in international business transactions, *Journal of Business Ethics*, 92(1): 15- 32;
- ▣ Casella, S. (2008), The case for civil forfeiture: Why in Rem proceedings are an essential tool for recovering the proceeds of crime, *Journal of Money Laundering Control* 11(1): 8-14;
- ▣ Chaikin, D. (2008), Commercial corruption and money laundering: a preliminary analysis, *Journal of Financial Crime* 15(3): 269-281;
- ▣ Dandurand, Y. / Colombo, G. / Passas, N. (2007), Measures and mechanisms to strengthen international cooperation among prosecution services, *Crime, Law and Social Change* 47 (4-5): 261-289;
- ▣ Davies, P. (2006), Directors' Creditor-regarding duties in respect of trading decisions taken in the vicinity of insolvency, *European Business Organization Law Review* 7(1): 301-337;

- ▣ Deming, SH. (2006), The potent and broad ranging implications of the accounting and record keeping provisions of the Foreign Corrupt Practices Act, *The Journal of Criminal Law and Criminology*, 96(2): 465-502;
- ▣ Evans, P. (1997), The proceeds of crime: problems of investigation and prosecution, *International Centre for Criminal Law Reform and Criminal Justice Policy*;
- ▣ Gilsinan et al. (2008), The role of private sector organizations in the control and policing of serious financial crime and abuse, *Journal of Financial Crime* 15 (2):111-123;
- ▣ Gilsinan, JF. (2008), The role of the private sector organizations in the control and policing of serious financial crime and abuse, *Journal of Financial Crime*, 15(2): 111-123;
- ▣ Grubbs, J. / Ethridge, J. (2007), Auditor Negligence Liability to Third Parties, *Revisited Journal of Legal, Ethical and Regulatory Issues* 10(1): 75-89;
- ▣ Haynes, A. (2007), Market abuse: an analysis of its nature and regulation, *The Company Lawyer* 28(11): 323-335;
- ▣ Krippke, H. (1985), Manne's insider trading thesis and other failures of conservative economics, *Cato Journal* 4(3): 945-957;
- ▣ Manne, H. (1985), Insider trading and property rights in new information, *Cato Journal* 4(3): 933-943;
- ▣ Middleton, D. / Levi, M. (2005), The Role of Solicitors in Facilitating 'Organized Crime': Situational Crime Opportunities and their Regulation Crime, *Law and Social Change* 42(2-3): 123-16;
- ▣ Picard, M. (2008), *Financial Crimes: The Constant Challenge of Seeking Effective Prevention Solutions*,
Journal of Financial Crime 15(4): 383-397;
- ▣ Rider, B. (2000), The control of insider trading - smoke and mirrors!, *Journal of Financial Crime* 7(3): 227-250;
- ▣ Rose, R. (2006), *Corporate Criminal Liability: A Paradox of Hope*, *Waikato Law Review: Taumauri* 14: 52- 79;
- ▣ Sproat, PA. (2007), An evaluation of the UK's anti-money laundering and asset recovery regime, *Crime, Law and Social Change* 47(3): 169-184;
- ▣ Sproat, PA. (2009), Payback time? To what extent has the new policing of assets provided new assets for policing? *Journal of Money Laundering Control* 12(4): 392-405
- ▣ Stessens, G. (1994) *Corporate Criminal Liability: A Comparative Perspective The International and Comparative, Law Quarterly* 43(3): 493-520
- ▣ Wright, R., (2006) Why (Some) Fraud Prosecutions Fail, *Journal of Financial Crime* 13(2): 177-182

Organisations and Conventions

- ▣ Basel Committee on Banking Supervision (2005) *Compliance and the compliance function in banks*
- ▣ Basel Committee on Banking Supervision (2008) *Implementation of the compliance principles: A survey*
- ▣ Financial Action Task Force (FATF) (2006) *Report on new Payment Methods*
- ▣ Financial Action Task Force (FATF) *The 40 recommendations*
- ▣ Financial Action Task Force (FATF) *The 9 special recommendations on terrorist financing*
- ▣ Organisation for Economic Co-operation and Development (2000) *Reducing the Risk of Policy Failure: Challenges for Regulatory Compliance*
- ▣ Organisation for Economic Co-operation and Development (2004) *Compliance risk management: Managing and Improving Tax Compliance*
- ▣ Organisation for Economic Co-operation and Development (OECD) (2009) *Recommendation of the Council on Tax Measures for Further Combating Bribery of Foreign Public Officials in International Business Transactions*
- ▣ Organisation for Economic Co-operation and Development (OECD) (2009) *Update on country descriptions of tax legislation on the tax treatment of bribes to foreign public officials*
- ▣ Organisation for Economic Co-Operation and Development (OECD) (2006) *Protecting Consumers from Cyberfraud*
- ▣ The World Bank (2007) *Stolen Asset Recovery (StAR) Initiative: Challenges, Opportunities and Action Plan*
- ▣ United Nations (1988) *Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances*
- ▣ United Nations (1999) *International Convention for the Suppression of the Financing of Terrorism*
- ▣ United Nations (2003) *Convention Against Corruption*
- ▣ United Nations (2004) *Convention Against Transnational Organized Crime*
- ▣ United Nations 1988, 'United Nations Convention against illicit traffic in narcotic drugs and psychotropic substances', opened for signature 12 December 1988, UNTS vol. 1582, no. 27627 (entered into force 11 November 1990), art. 3.
- ▣ United Nations 1999, 'International Convention for the suppression of the financing of terrorism', opened for signature 9 December 1999, UNTS vol. 2178, no. 38349 (entered into force 10 April 2002) arts. 2, 4, 5, 6 and Annex.
- ▣ United Nations 2000, 'United Nations Convention against transnational organized crime', opened for signature 12 December 2000, UNTS vol. 2225, no. 38574 (entered into force 29 September 2003), art. 6.
- ▣ United Nations 2003, 'United Nations Convention against corruption', opened for signature 9 December 2003, UNTS vol. 2349, no. 42146 (entered into force 14 December 2005), arts. 23 and 24.
- ▣ *United Nations Convention Against Corruption* (2003)
- ▣ *United Nations Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances* (1988)
- ▣ United Nations Office on Drugs and Crime (1998) *Financial Havens, Banking Secrecy and Money Laundering*
- ▣ United Nations Office on Drugs and Crime (2004) *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*
- ▣ United Nations Office on Drugs and Crime (2008) *A Century of International Drug Control 1-13; 60-80*

International Insolvency Law

Teaching hours and credit allocation: 16 hours and 3 credits Course assessment: exam

Aims

The aim of this course is to familiarise students with the general principles underpinning modern systems of international insolvency law and to provide an overview of insolvency procedures of corporations, financial institutions and sovereign entities. The subject involves considerations with regard to insolvency from the point of view of a country's market and economy, the view of a debtor, a creditor and an insolvency administrator and the role of a court. Emphasis will be placed on insolvency law in corporate practice and the effectiveness of mechanisms for dealing with cross-border insolvency. The course will have a transactional focus with actual case studies and will identify practical and commercial issues raised during a cross-border settlement of a given case.

Learning outcomes

On completion of this course, students are expected to be able to:

- analyse the special aspects of cross-border insolvency proceedings;
- develop the necessary legal and economic steps within practical work;
- understand where insolvency proceedings against the multinational enterprise should take place;
- understand how issues of jurisdiction may affect rights of the corporate stakeholders;
- recognise what is the law that should apply to the insolvency process;
- understand how the multinational corporate group in insolvency should be dealt with;
- recognise the diversity of interests of all stakeholders (different creditors, debtors);
- specify specific roles and tasks in given insolvency proceedings (aim of the proceeding, role of office holders and courts);
- understand, interpret and apply recent legislation dealing with cross-border insolvency cases;
- identify practical and commercial issues raised during a cross-border settlement of a given case.

Content

- Treaty of the European Community (EGV) regarding insolvency proceedings;
- Substantive insolvency laws in key jurisdictions;
- Recognition of foreign proceedings;
- Coordination of concurrent proceedings;
- Cross-border collaboration between judges and liquidators;
- Access to the capital markets;
- UNCITRAL's model law on cross-border insolvencies;
- Out-of-court workouts and 'pre-packaged' plans;
- Banking crises;
- IMF's sovereign debt restructuring mechanism;
- Holdout creditors and the use of collective action clause;
- The London approach;
- The role of the Paris club.

Reading

- Bufford, S. (2009), *United States International Insolvency Law 2008-2009*, Oxford University Press, UK;

- ▣ Fletcher, I. (2006), *The Law of Insolvency*, Sweet and Maxwell;
- ▣ Fletcher, I. (2007), *Insolvency in Private International Law: Main Work (Second Edition) and Supplement*, (Oxford Private International Law Series), Oxford University Press, UK;
- ▣ Grier, I. /Floyd, R. (1998), *Personal Insolvency: Practical Guide*, 3rd edition, Sweet & Maxwell;
- ▣ Lastra, R. (2011), *Cross-Border Bank Insolvency*, Oxford University Press, UK;
- ▣ Look, C. H. (2006), *Cross-Border Insolvency: A Commentary on the UNCITRAL Model Law on Insolvency*, Globe Law and Business;
- ▣ Omar, P. (2004), *European Insolvency Law*, Ashgate;
- ▣ Omar, P. (2008), *International Insolvency Law (Markets and the Law)*, Ashgate;
- ▣ Rajak, H. (1993), *Insolvency Law: Theory and Practice*, Sweet and Maxwell;
- ▣ Smart, P. (1997), *Cross-border Insolvency*, Lexis Law Publishing;
- ▣ Tolmie, F. (1998), *Introduction to corporate and personal Insolvency Law*, Sweet & Maxwell;
- ▣ Torremans, P. (2002), *Cross Border Insolvencies in EU, English and Belgian Law*, (European Monographs Series Set), Kluwer Law International;
- ▣ Virgos, M. / Garcimartin, F. (2004), *The European Insolvency Regulation: Law and Practice*, Kluwer Law International; the Netherlands;
- ▣ Wessels, B. / Markell, H. B. / Kilborn, J., (2009), *International Cooperation in Bankruptcy and Insolvency Matters*, Oxford University Press, USA;
- ▣ Wessels, B. (2007), *Cross Border Insolvency Law: International Instruments Commentary*, Kluwer Law International, the Netherlands;
- ▣ Wheeler, M. /Oldfield, R. (1997), *International Insolvency Procedures*, 2nd ed., Blackstone Press;
- ▣ Wood, P. (2007), *Principles of International Insolvency (Law and Practice of International Finance Series)*, Sweet & Maxwell;
- ▣ Ziegel, J. / Cantlie, S. (1995), *Current Developments in International and Comparative Corporate Insolvency Law*, Oxford University Press, UK;
- ▣ Ziegel, J. (1994), *Current Developments in Comparative and International Corporate Insolvency*, Oxford University Press.

Directives

- ▣ Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings.

Committees, Organisations

- The United Nations Committee on International Trade Law (UNCITRAL) Model Law on Cross-Border Insolvency Code 1997

Legal cases (of international interest)

- DAISYTEK
- PARMALAT
- COLLINS & AIKMAN
- BenQMOBILE
- NORTEL NETWORKS
- LEHMAN BROTHERS
- STANFORD INTERNATIONAL BANK

Internet Law and E-Business

Teaching hours and credit allocation: 16 hours and 3 credits Course assessment: exam

Aims

The aim of this course is to examine the substantive law that relates to the internet by looking in detail at how effectively existing laws regulate use of the internet and to critically and comprehensively analyse the legal issues pertaining to e-commerce. This course will introduce students to the theoretical, technological and practical dimensions of internet technology within the political economy of the emerging legal architecture and provide an in-depth analysis and examination of the adequacy of the law in force to cope with the challenges posed by technology. In particular, this course will examine the existing and potential gaps, conflicts and compliance issues within the current and developing legal frameworks on internet regulation and e-commerce and will explore to what extent the existing legal frameworks impact on new and emerging technologies.

Learning outcomes

On completion of this course, students are expected to be able to:

- ▣ understand the nature and characteristics of the internet and associated technologies and to make an assessment of how these impact on existing legal relationships, rights and concepts;
- ▣ draw conclusions on how technology and the law impact on each other;
- ▣ unravel how the internet has revolutionised the transmission and distribution of information and to reason how this affects the regulation of information flows;
- ▣ understand the principles relating to jurisdiction and enforcement in international law and to explain how these are applied to the internet;
- ▣ identify the challenges for the law and express their own opinion on how they should be overcome;
- ▣ critically analyse new technologies by assessing their impact on the law (e.g., how peer-to-peer file-sharing software rebalances the existing balance of rights between copyright holders and users of copyright-protected materials);
- ▣ evaluate the multifarious and complex legal issues involved in setting up and running e-commerce and other information activities;
- ▣ critically study the legal framework for e-commerce (e.g., from a consumer protection viewpoint or a business compliance viewpoint);
- ▣ investigate and assess the jurisdictional issues raised by e-commerce;
- ▣ interpret the challenges raised for businesses engaging in e-commerce on their legal compliance and legal risk management and to propose solutions for them;

- analyse and evaluate the basic rules and principles in privacy and data protection, in the context of Internet and Internet related technologies such as Cloud computing and social media;
- finally, to evaluate the choices of the European legislator when technology is tilting traditional legal frameworks, draw conclusions from the way specific cases are legislated and devise new ways that would bring more efficient results;

Content

- Structure, technology and characteristics of the internet;
- Internet governance and regulation;
- Cloud Computing;
- Social media;
- Different forms of regulation, state and self-regulation;
- Jurisdiction issues;
- Intellectual property issues arising from the technology;
- Data protection and Privacy;
- Privacy and security;
- Internet Surveillance;
- Location, authentication and identity issues;
- Cyber crime;
- Freedom of speech and regulation of illegal content;
- Consumer protection and trust issues;
- The liability of internet services providers;
- Online contracting;
- Electronic payment;
- Business to business e-commerce;
- Business to Consumer e-commerce;
- Online dispute resolution;
- Domain names;
- Standardisation and patents;

- Open source licences.

Reading

- Basedow, J. (2000), *Legal Aspects of Globalisation: Conflicts of Laws, Internet, Capital Markets and Insolvency in a Global Economy*, Kluwer Law International, the Netherlands;
- Boele-Woelki, K. (1998), *Internet, Which Court Decides? (Internet, Quel Tribunal Decide?): Which Law Applies?* Kluwer Law International, the Netherlands;
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- Buellbach, Al., / Gijrath, S. (2010), *Concise European IT Law*, Kluwer Law International, the Netherlands;
- Bygrave, L.,(2010) *Privacy and Data Protection in International Prespective*, Stockholm Institute for Scandinavian Law & Lee A Bygrave. Available at : <http://www.uio.no/studier/emner/jus/jus/JUS5630/v13/undervisningsmateriale/privacy-and-data-protection-in-international-perspective.pdf>
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- Colucci, M. (2002), *The Impact of the Internet and New Technologies (Bulletin of Comparative Labour Relations Series Set*, Kluwer Law International, the Netherlands;
- Davidson, A. (2009), *The Law of Electronic Commerce*, Cambridge University Press, UK;
- Dunne, R. (2009), *Computers and the Law. An Introduction to Basic Legal Principles and Their Application in Cyberspace*, Cambridge University Press, UK;
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- Gkoutzinis, A. (2006), *Internet Banking and the Law in Europe Regulation, Financial Integration and Electronic Commerce*, Cambridge University Press, UK;
- Grabosky, P. / Smith, R. / Dempsey, G. (2001), *Electronic Theft Unlawful Acquisition in Cyberspace*,
- Hörnle, J. (2009), *Cross-border Internet Dispute Resolution*, Cambridge University Press, UK;
- Kirchberger, C. (2011), *Cyber Law in Sweden*, Kluwer Law International, the Netherlands;
- Kohl, U. (2007), *Jurisdiction and the Internet Regulatory Competence over Online Activity*, Cambridge University Press, UK .
- Koops, B. J. (1998), *The Crypto Controversy: A Key Conflict in the Information Society*, Kluwer Law

International, the Netherlands;

- Kuner, Ch et al. (2012) *The challenge of 'big data' for data protection*, International Data Privacy Law 2(2): 47-49
- Lemle, M. / Menell, P. / Merges, R. / Samuelson P. (2011), *Software & Internet Law, 4th Ed.*, Aspen Casebook Series, Kluwer Law International, the Netherlands;
- Lodder A. (2002), *E-Directives: Guide to European Union Law on E-Commerce - Commentary on the Directives on Distance Selling, Electronic Signatures, Electronic Commerce*, Kluwer Law International, the Netherlands;
- Price, M./ Verhulst S. (2004), *Self-Regulation and the Internet*, Kluwer Law International, the Netherlands;
- Reed, Ch. (2005), *Internet Law Text and Materials*, 2nd ed., Cambridge University Press, UK;
- Sartor, G. (2013) *Providers' liabilities in the new EU Data Protection Regulation: A threat to Internet freedoms?* International Data Privacy Law 3(1): 3-13 Available at: <http://idpl.oxfordjournals.org/content/3/1/3.full.pdf+html>
- Smith, R. / Grabosky, P. / Urbas, G. (2004), *Cyber Criminals on Trial*, Cambridge University Press, UK;
- Stamatoudi, I., (2010), *Enforcement and the Internet*, Kluwer Law International, the Netherlands
- Svantesson, Dan J. (2007), *Private International Law and the Internet*, Kluwer Law International, the Netherlands;
- Wallace, M. / Webber, L. (2009), *Governance: Policies & Procedures*, Kluwer Law International, the Netherlands;
- Wang, F. F. (2010), *Internet Jurisdiction and Choice of Law Legal Practices in the EU, US and China*, Cambridge University Press, UK;
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- Xue, H. (2010), *Cyber Law in China*, Kluwer Law International, the Netherlands;

Legislation

- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data Official Journal L 281, 23/11/1995 P. 0031 - 0050
- Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') OJ L 178, 17.7.2000, p. 1-16
- Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning

the processing of personal data and the protection of privacy in the electronic communications sector

(Directive on privacy and electronic communications) OJ L 201, 31.7.2002, p. 37–47.

- Presidential Decree 131/2003 on Electronic Commerce Available at : <http://www.synigoroskatanaloti.gr/docs/law/gr/PD131-2003.pdf> (in Greek)
- Directive 2006/24/EC of the European Parliament and of the Council of 15 March 2006 on the retention of data generated or processed in connection with the provision of publicly available electronic communications services or of public communications networks and amending Directive 2002/58/EC OJ L 105, 13.4.2006, p. 54–63
- Law 2121/1993 Copyright, Related Rights and Cultural Matters Official Journal A 25 1993 Available at: <http://web.opi.gr/portal/page/portal/opi/info.html/law2121.html>

Mergers & Acquisitions

Teaching hours and credit allocation: 16 hours and 3 credits Course assessment: exam

Aims

A merger or large acquisition is often the most significant event in the life of a firm and can have dramatic consequences for all of a firm's constituencies. Lawyers and the law play critical roles in how mergers and acquisitions are evaluated, structured and implemented. This course focuses on the routes by which the takeovers and mergers are structured and aims to provide a comprehensive examination of how the conduct of these transactions is regulated internationally and in the European Union. Systems of merger control worldwide – both in the developed and developing world – and their operation will be part of this course, which will be taught in a practical manner to reflect the very nature of mergers and acquisitions.

Learning outcomes

On completion of this course, students are expected to be able to:

- demonstrate a knowledge and understanding of the corporate dynamics of mergers and acquisitions;
- understand the complex legal corporation dynamic that exists within the process of asset added value and takeover behaviour;
- understand the reasons for which merger activity is undertaken;
- be aware of the risks, the structuring of transactions and the regulation of mergers and acquisitions;
- appreciate the complex economic and other forces which create the conditions for merger activity;
- recognise the important risks of merger activity from political and corporate perspectives;
- advise on the legal regulatory framework applicable to the merger form employed;
- critically analyse corporate merger strategy and the role of professional advisors and regulatory agencies;
- understand the needs of business for competent legal advice in undertaking transactions;
- communicate key legal concepts to professional and business audiences;
- research and synthesize legal requirements applicable in the business sphere.

Reading

Books

- ▣ Ferrarini, G. / Hopt, K. / Winter, J. / Wymmersch, E. (eds) (2004), *Reforming Company and Takeover Law in Europe*, 1st ed., Oxford University Press, UK;
- ▣ Papadopoulos, T. (2010), *EU law and the harmonization of takeovers in the internal market*, Kluwer Law International, the Netherlands;
- ▣ Forstinger, C. (2002), *Takeover Law in the EU and USA, A Comparative Analysis*, Kluwer Law International, the Netherlands;
- ▣ Harvey, N. / Norman, G. / Nourry, A., (eds) (2005), *A Practitioner's Guide to Takeovers and Mergers in the European Union*, 4th ed., City & Financial Publishing, London;
- ▣ Kenyon-Slade, S., (2004), *Mergers and Takeovers in the US and UK / Law and Practice*, 1st ed., Oxford University Press, UK;
- ▣ Payne, J. (ed.) (2002), *Takeovers in English and German Law*, Hart Publishing, Oxford and Portland, Oregon;
- ▣ Bishop, M. / Kay, J., (eds.) (1993), *European Mergers & Merger Policy*, Oxford University Press, UK;
- ▣ Boesky, I. (1986), *Merger Mania: Wall Street's best kept money making secret*, Bodley Head;
- ▣ Brealey, Myers, and Allen (2007), *Principles of Corporate Finance*, 8th edition, chapters 32-33;
- ▣ Campbell, J.Y. / Lo, A.W. / MacKinlay, A.C. (1997), *The Econometrics of Financial Markets*, Princeton University Press;
- ▣ Cartwright, S. / Cooper, C., (1992), *Mergers and Acquisitions: the human factor*, Butterworth-Heinemann;
- ▣ Chiplin, B. (1987), *The Logic of Mergers: the competitive market in corporate control in theory*, Hobart Paper No 107, Institute of Economic Affairs;
- ▣ Confederation of British Industry (1989), *Mergers, Acquisitions and Alternative Corporate Strategies*, WH Allen, London;
- ▣ Cook, C. / Kerse, C. (1991), *EEC Merger Control: Regulation 4064/89*, Sweet & Maxwell;
- ▣ Cooke, T. E. (1986), *Mergers and Acquisitions*, Blackwell;
- ▣ Cooke, T. E. (1988), *International Mergers and Acquisitions*, Blackwell;
- ▣ Sudarsanam, P.S. (1995), *The Essence of Mergers and Acquisitions*, Prentice Hall;
- ▣ DePamphilis, D. (2011), *Mergers, Acquisitions and Other Restructuring Activities: An Integrated*

Approach to Process, Tools, Cases and Solutions, sixth edition, Academic Press Advanced Finance Series;

- ▣ Gaughan, P. (1994), *Readings in Mergers and Acquisitions*, Blackwell;
- ▣ Gaughan, P. (2002), *Mergers & Acquisitions*, Wiley;
- ▣ Gaughan, P.A. (2007), *Mergers, Acquisitions, and Corporate Restructurings*, 4th ed., John Wiley, ISBN 978 0 471 70564 2;
- ▣ Goldberg, W.H. (1983), *Mergers: Motives and Methods*, Gower;
- ▣ Lajoux, A. (1998), *The Art of M&A Integration*, New York: McGraw Hill;
- ▣ Morsini, P. (2004), *Creating Value from Mergers & Acquisitions: The Challenges: An Integrated and International Perspective*, London: Prentice Hall;
- ▣ Thomson, R. (2010), *Mergers and Acquisitions: Law & Finance*, Kluwer Law International, the Netherlands;
- ▣ Weston, J. Fred/ Kwang, S. / Chung, V. (2003), *Mergers, Restructuring, and Corporate Control*, Prentice- Hall International;
- ▣ Weston, J. (2004), *Mergers & Acquisitions*, New Yorksw: McGraw-Hill.

Journals

- ▣ Bruner, R.F. (2002), Does M&A Pay? A Survey of Evidence for the Decision-Maker, *Journal of Applied Finance*, Spring/Summer, pp. 48-68;
- ▣ Jemison, D. B. / Sitkin, S. (1987), Acquisitions: the process can be the problem, *Harvard Business Review*, 60, 6: 107-116;
- ▣ Jensen, M. C. / Ruback, R. S. (1983), The market for corporate control: the scientific evidence, *Journal of Financial Economics*, 3, 4: 305-360;
- ▣ Martynova, M. / Renneboog, L. (2008), A Century of Corporate takeovers: What have We Learned and Where Do We Stand?, *Journal of Banking and Finance*, 32(10), pp. 2148-2177;
- ▣ Ranft, A.L. / Lord, M.D. (2000), Acquiring new knowledge: the role of retaining human capital in acquisitions of high-tech firms, *Journal of High Tech. Manage. Res.* pp. 295–319;
- ▣ Schneider, S. and Dunbar, R. (1992), A psychoanalytic reading of hostile takeover events, *Academy of Management Review*, 17, 3: 537-567;
- ▣ Tratuwein, F. (1990), Merger motives and merger prescriptions, *Strategic Management Journal*, 11, 4: 283-295;
- ▣ Vaara, E. (2002), On the discursive construction of success/failure in narratives of post merger integration, *Organization Studies*, 23, 2: 213-25

International and EU Tax law

Teaching hours and credit allocation: 16 hours and 3 credits Course assessment: exam

Aims

The general aim of this course is to provide students with a critical awareness of the established fundamental principles of international tax law, with an overview of public international law as it affects the allocation of jurisdiction to tax between nations and with an understanding of the basic phenomena of international taxation. In particular, this course examines the clashes of different countries' income tax systems which arise from international activity, why these clashes arise and which types of laws may have an impact. A primary objective of this course is also to provide students with an understanding of the effect of the OECD Model Income Tax Convention on the international tax system and the tax treaty networks. Students are led to understand the phenomena of international taxation through the case law of the European Court of Justice on income taxation.

Learning outcomes

On completion of this course, students are expected to be able to:

- understand the core principles of international taxation;
- create a framework for the analysis of international tax problems;
- develop knowledge of emerging trends in international taxation;
- understand a comparative analysis of tax law as it relates to commercial disputes;
- understand the national tax systems of Member States of the European Union in connection with the EU legal order;
- critically apply the principles of tax treaties to jurisdictional disputes;
- understand Transfer Pricing problems;
- analyse the jurisprudence from courts around the world pertaining to tax planning situations;
- advise businesses, governments and policy-makers on issues which relate to international tax matters.

Content

- Jurisdiction to tax and the problem of international taxation;
- Methods of relief from international double taxation;
- The OECD model treaty;
- Interpretation of tax treaties;
- International tax planning;
- International tax avoidance and tax heavens;
- Institutional framework and background to EU tax law;
- Impact of the fundamental freedoms on EU Member State systems of taxation;

- Harmonisation of Value Added Tax;
- Harmonisation of direct taxes;
- State Aid rules and EU Member State taxation;
- EU Member State co-operation and dispute resolution;
- Interaction of European Union tax law and international tax law.

Reading

- Amatucci, An. (2006) *International Tax Law*, Aspen Publishers;
- Arnold, B. / McIntyre, M. (2002), *International Tax Primer*, Kluwer Law International, the Netherlands;
- Ault H. / Arnold, B. (2004), *Comparative Income Taxation*, Kluwer Law International, the Netherlands;
- Avi-Yonah, R. (2007), *International Tax as International Law*, Cambridge University Press, UK;
- Baker, P. (2009), *Double Taxation Conventions*, 3rd ed., Sweet & Maxwell;
- Borrego, F. Al. (2005), *Limitation on Benefits Clauses in Double Taxation Conventions*, Kluwer Law International, the Netherlands;
- Broe, L. (2009), *International Tax Planning and Prevention of Abuse*, International Bureau of Fiscal Documentation (IBFD);
- Cerioni, L. (2007), *EU Corporate Law and EU Company Tax Law*, Edward Elgar Publishing;
- De Burca, G. / Scott, J. (2003), *The EU and the WTO: Legal and Constitutional Issues*, Hart Publishing, Oxford, UK;
- Doernberg, R., (2009), *International Taxation in a Nutshell*, 8th ed., Thomson West Law;
- Graetz, M. (2003), *Foundations of International Income Taxation*, Foundation Pr;
- Harris, P. (1996), *Corporate/Shareholder Income Taxation*, IBFD;
- Isenbergh, J. (2005), *International Taxation/ Concepts and Insights*, 2nd ed., Foundation Press;
- James, S. / Nobes, C. (2010), *Economics of Taxation*, 10th ed., Fiscal Publications;
- Land, M. (2001), *Tax Treaty Interpretation*, Kluwer Law International, the Netherlands;
- Lang, M. / Pistone, P. / Schuch, J. / Staringer, C. (2007), *Tax Treaty Law and EC Law*, Vienna;
- Newton, W. (2010), *International Income Tax and Estate Planning*, 2nd edition, Clark Boardman Callaghan;
- Picciotto, S. (1992), *International Business Taxation: A study in the Internationalisation of Business Regulation*, Quorum Books;
- Qureshi, A. (1994), *The Public International law of Taxation, Text, cases and Materials*, Kluwer Law International, the Netherlands;
- Raad, K. (2009), *Materials on International and EC Tax Law*, 9th ed., International Tax Center, Leiden;
- Rohatgi, R. (2001), *Basic International Taxation*, Kluwer Law International;
- Sandler, D. (1998), *Tax Treaties and Controlled Foreign Company Legislation*, Kluwer Law International;
- Sauders, R. (2000), *International Tax Systems and Planning Techniques*, Sweet & Maxwell;
- Terra, B. / Wattel, P. (2008), *European Tax Law*, 5th ed., Aspen Publishers;
- Thuronyi, V. (2003), *Comparative Tax Law*, Kluwer Law International, the Netherlands;
- Tiley, J. (2008), *Revenue Law*, 6th ed., Hart Publishing, Oxford, UK;
- Vaines, P. (2009), *Revenue Law-Principles and Practice*, 27th ed., Tottel;

- ▣ Vogel, K. (1997), *Double Taxation Conventions*, Kluwer Law International, the Netherlands;
- ▣ Weeghel, S. (1998), *The Improper Use of Tax Treaties*, Kluwer Law International, the Netherlands;
- ▣ Williams, D. (1991), *Trends in International Taxation*, International Bureau of Fiscal Documentation (IBFD)

Conventions

- ▣ OECD Model Tax Convention on Income and on Capital, Condensed Version 2010, OECD Committee on Fiscal Affairs
- ▣ OECD Model Income Tax Treaties, (1990), Kluwer
- ▣ OECD Committee on Fiscal Affairs, (1987), *International Tax Avoidance and Evasion*
- ▣ OECD, (2008), *OECD International Tax Convention on Income and Capital*.

Encyclopaedias & dictionaries

- ▣ Lyons, S. (1992), *International Tax Glossary*, International Bureau of Fiscal Documentation.

Media Law - Telecommunication Law

Teaching hours and credit allocation: 16 hours, 3 credits Course assessment: exams

Aims

The aim of this course is to provide students with the opportunity to gain expertise in a range of legal regimes governing key aspects of the media, from the regulation of all key forms of media content to the regulation of the infrastructures via which that content is delivered, including traditional, new and still-developing media. Moreover, Telecommunications Law examines the global trend away from national monopolies in telecommunication and broadcasting networks towards competition in a regulated and increasingly international communications market. The principles underlying this process of liberalisation and regulation are elucidated and explained in this course, as well as the legal structures and arrangements, in Europe and other jurisdictions of interest, which control the provision of telecommunications equipment, networks and services. In particular, the course will concentrate on the licensing and other regulatory regimes of telecommunications infrastructure and service provision and the competition, contractual and regulatory issues that arise from the need to interconnect communications networks. The course does not examine the provision of content services, but considers the regulatory implications of convergence.

Learning outcomes

On completing the course the participants will be able to:

- Demonstrate knowledge and understanding of principles of media law and the functions of regulatory institutions;
- Identify and evaluate legal issues relating to freedom of expression and various restrictions on the media;
- Discuss and evaluate ownership and accountability within the media & telecommunication industry;
- Appraise the impact of regulatory mechanisms and the role of external agencies and judicial bodies in enforcing those mechanisms;
- Analyse substantive legal issues pertaining to the control, content and dissemination of published material;
- Evince the ability to conduct critical legal analysis and evaluation within the field of Media & Telecommunication law.

Content

- Introduction to Media & Telecommunications Law;
- Intellectual Property in Media Content;
- Reporting Restrictions and the Media;
- Broadcast Media Regulation;
- Media Ownership & Competition;
- Libel/ Contempt of Court;
- Confidentiality & Privacy - Protection of journalists' sources;
- Distributing the Media's Intellectual Property;
- Blasphemy, Obscenity, Indecency;
- Communications Technology, Services and Markets;
- Regulatory structures and bodies;
- Authorisation & Licensing;
- Consumer Protection Rules for Telecommunications;
- Competition Law in Telecommunications;
- Telecommunication Transactions.

Reading

Books

- Carey, P. et al. (2010), *Media law*, 5th ed. London: Sweet and Maxwell, UK;
- Crone, T. (2002), *Law and the media*, 4th ed. London: Focal Press, UK;
- Fenwick, H. (2006), *Media freedom under the Human Rights Act*, Oxford: Oxford University Press, UK;
- Lloyd, I. and Mellor, D. (2003), *Telecommunications Law*, London: LexisNexis/Butterworths, UK;
- Nicol, A. (2009). *Media law and human rights*, 2nd ed. London: Blackstone, UK;
- Walden, I. (2012), *Telecommunications Law and Regulation*, Oxford University Press, UK.

Data Protection Law: General Data Protection Regulation

Teaching hours and credit allocation: 16 hours, 3 credits

Course assessment: exams

Aims

Data protection standards are becoming increasingly high, and data controllers face the more and more complex task to evaluate whether their data processing activities are legally compliant, especially in an international context. Over the last years, data have become a valuable asset and are even called the currency of the future. In this context, the European Union adopted the General Data Protection Regulation (GDPR) to further harmonise the rules for data protection within the EU Member States and to raise the level of privacy for the affected individuals. This course aims to provide a detailed and advanced understanding of the latest developments in law and practice relating to data protection through interactive study of both relevant legislation and case law.

Learning outcomes

On completion of this module, students are expected to be able to:

- define the concepts of "privacy" and "data protection" and explain the role of these concepts in the modern interconnected global economy;
- understand the legal framework of data protection in different jurisdictions;
- identify the relevant applicable law and jurisdiction;
- realise the fundamental data protection concepts (e.g., consent, personal data, data controller/data processor etc.);
- understand the role of Data Protection Officers (DPOs) and the interaction with the Supervisory Authorities;
- explore the notion of privacy by design & privacy by default;
- examine relevant issues concerning international transfer of personal data;
- develop critical skills in evaluating existing academic and professional literature on data protection.

Content

- International human rights instruments and case law
- Data protection legislation
- Scope of application of the GDPR
- Data processors and data controllers: roles and responsibilities
- Data processing principles
- Lawfulness of data processing
- Data Subjects' Rights
- The Right to be Forgotten
- Data protection in social networks

- Electronic marketing and advertising issues
- Surveillance at the work place and in public places
- Data protection enforcement

Reading

Kelleher, D. (2017), EU Data Protection Law, Bloomsbury Professional, UK;

Rucker, D./Kugler, T. (ed.) (2017), New European General Data Protection Regulation: A Practitioner's Guide, Hart Publishing, UK;

Voigt, P./von dem Bussche, A. (2017), The EU General Data Protection Regulation (GDPR) - A Practical Guide, Springer, Switzerland

The Master's Dissertation

Credit Allocation:

30 Credits

Course Assessment:

Written thesis of maximum 12,000 words & presentation

The Master's Dissertation is supervised by an academic member of staff. Students are encouraged to have regular meetings with their supervisor. Supervisors assist students in their research work by acting as consultants and counselors in matters of research procedure and practice. Students are expected, however, to become the experts in the topic they select for research and take responsibility for their work. The length of the dissertation should not exceed 12,000 words exclusive of footnotes, appendices and bibliography. The Dissertation is assessed by a three-member academic committee. If there is a difference of more than 3 points (on a scale of 1-10) in the evaluations of the three examiners, then a fourth evaluation is called for. The final grade awarded on the Dissertation will be the average of the mark given by the fourth examiner and the closest two marks to it of the other three marks.

Submission and Evaluation

The length of the Master Dissertation should not exceed 12,000 words (exclusive of footnotes, appendices and bibliography). The essay should be supplemented by an abstract of 200-400 words, Contents and Bibliography.

The **Master Dissertation** should be submitted on the IHU eLearning platform.

The Dissertation must be submitted in the approved format. The Dissertation is due to be submitted by **31 January 2024**. Extension beyond this deadline will only be given in special circumstances and with the agreement of the student's supervisor and the Programme Coordinating Committee. A maximum of two weeks' extension may be permitted in the first instance. Any application for extension must be made at least three weeks before the due date of submission, by completing and submitting the Extenuating Circumstances Form. It is the student's responsibility to have the Extenuating Circumstances Form properly approved. To qualify for a Master's degree, a student must achieve a minimum grade of 5.00 in the Dissertation.

If the Dissertation is submitted late without permission, it will be immediately penalised by 7% for late submission plus 1% daily, including weekends. The maximum period for late submission is 2 weeks. Any dissertation submitted later than two weeks after the proper date shall not be accepted and shall therefore

be graded with a mark of 0.00.

Students who fail the dissertation will be required to re-submit their dissertation on the same or a similar topic. Students are allowed to re-submit their dissertation only once, assuming a valid submission was made in the first instance. The deadline for re-submission is 6 weeks after the publication of the mark of the first submission.

PART II: REGULATIONS & POLICIES

Tuition Fees

- I.1 IHU full-time and part-time postgraduate students pay for their participation on the LLM in Transnational and European Commercial Law, Mediation, Arbitration and Energy Law programme, total fees amounting to 3000 €.
- I.2 Deposits: Upon acceptance on a postgraduate programme of study at the IHU, you will be asked to pay a non-refundable deposit of 500€ to secure your place. This amount will count towards the first instalment of your tuition fees. The deposit can be paid by bank transfer or bank draft.
- I.3 Tuition fees are paid in two instalments for full-time students and in four instalments for part-time students. The first day of each academic semester is set as the final date for payment. Proof of payment of the first fee instalment must be submitted by or upon registration of the student on Induction Day.
- I.4 No extension is provided for tuition fee payment and no different arrangement is permitted for payment of the first fee instalment. Exceptionally, a special arrangement for subsequent fee payments may be foreseen by the Scientific Director of the Programme following the respective request by the student, provided there are exceptional reasons.
- I.5 Examination and coursework marks for students in arrears regarding the payment of fees will not be disclosed by the School. These students will not be permitted to proceed to the next semester of studies if payment has not been made according to the payment schedule, unless there are exceptional circumstances that have been communicated to and approved by the General Assembly of the School.
- I.6 In the final instance, students who have not paid the full tuition fees by the end of the programme will not be allowed to receive their degree until they have fulfilled this obligation within a deadline to be set by the General Assembly of the School.
- I.7 Additional elective courses A student opting to take additional elective courses beyond those required shall be required to pay additional fees, to be determined by decision of the General Assembly of the School.

Student identity

- 2.1 Registration on an IHU postgraduate programme confers the identity of student on the candidate. This identity expires upon receiving one's degree or upon expulsion from the university.
- 2.2 Students may use IHU facilities and services in the pursuit of their educational work, according to the stipulations of respective Governing Board decisions.

Mentor scheme

Academic mentoring has been established by the University in order to provide students with advice on a range of academic matters, such as assessing the current level of knowledge provided and identifying any impediments to the learning process that may be present, with the overall objective of enhancing open, continuous and direct communication between students and the faculty.

Programme Duration

- 4.1 The programme will commence in October each year, the exact dates are announced by the Course Office.
- 4.2 The duration of studies in order to acquire a postgraduate degree is three (3) academic semesters full-

time (comprising taught courses during the 1st and 2nd semesters, while the 3rd semester is dedicated to the Dissertation). On a part-time basis the duration of the MSc is doubled.

- 4.3 Examinations and assessed work will take place throughout the course.
- 4.4 The maximum period for completion of the study programme is five (5) academic semesters for full-time students and eight (8) semesters for part-time students. Extension of the above deadlines is generally not permitted. In certain exceptional cases, a short extension may be given, following approval by the General Assembly of the School.

Assessment

- 5.1 The programme is taught and assessed in English. Student assessment on each course is supervised by the course instructor(s).
- 5.2 Performance is assessed on a 1-10 scale.
- 5.3 To complete the programme successfully, students must pass all courses, achieving an average grade on each course and its assessment components (coursework and examination) of at least 5.00.
- 5.4 In special circumstances, such as when a student is unable to participate in the examinations or to submit a paper due to professional or health reasons, a special examination date may be set for the student or a new deadline for the submission of the respective coursework, following a decision by a competent committee appointed by the General Assembly of the School.
- 5.5 Coursework/exam results are published within 45 days from the date of submission/the examination.
- 5.6 A student is entitled to ask for feedback either for an exam or piece of coursework for a specific course within 15 days after the grade has been announced.

Assessment Regulations

The rules governing the calculation of course and overall degree marks are as follows:

- 6.1 To qualify for the LLM in Transnational and European Commercial Law, Mediation, Arbitration and Energy Law degree, a student must acquire a total of 90 credits.
- 6.2 All courses must be passed individually.
- 6.3 Credits and marks are awarded for all courses successfully completed and passed.
- 6.4 It is compulsory to complete all coursework and exam components and no course mark can be awarded until these are completed.
- 6.5 When courses are assessed by both coursework and exam, results are weighted 30% and 70% respectively to calculate the overall course mark. Course assessment weightings may vary but exams cannot be weighted less than 50% in any case. A minimum mark of 5.00 must be achieved on each component (exam and coursework).
- 6.6 Students will be required to retake any failed assessment component in the next assessment period.
- 6.7 A student failing at the second attempt will normally be asked to withdraw immediately from the programme, following the decision in this respect of the General Assembly.
- 6.8 Calculating the overall mark of a course in the case of a re-sit: in those cases where a student has passed a course component after a re-sit, the overall mark of the course will be calculated by combining the original grades awarded for other component(s) passed at the first attempt and the re-sit mark for the component passed at the re-sit, in line with relative credit values of courses, as set out in the table below.

- 6.9 A student is entitled to appeal against the grade received for an exam or piece of coursework for a specific course within 15 days after the grades have been announced. Students must provide full details of the grounds of their appeal in writing. Such appeals are assessed by an academic appointed by the Director of the Programme, within thirty (30) days of receipt of the appeal. As a result of an appeal, grades may stay the same, go up or down. In the case of group work, the decision to appeal should be taken unanimously by the students of the group.
- 6.10 A course mark is calculated by aggregating the marks for all assessment components.
- 6.11 To calculate the overall degree mark, course marks are combined using weightings in line with the relative credit values of courses, set out in the table below.

Assessment matrix of courses, hours, credits and weightings

Course title	Taught Hours	Credits	Assessment weightings used to calculate course mark		Course weights to calculate degree marks
			C/W	Exam	
Core Courses					
European Economic Law	30	6	100%		6,67%
Transnational Commercial Law I	30	6	30%	70%	6,67%
International Commercial Arbitration	30	6	100%		6,67%
Recognition and Enforcement of International Arbitral Awards	15	3	100%		3,33%
Regulation of International Capital Markets & Investment Protection	30	6	100%		6,67%
Mediation, ADR & ODR Law	16	3	100%		3,33%
International Regulation of the Banking Sector	30	6	100%		6,67%
Transnational Commercial Law II	30	6	30%	70%	6,67%
Institutional Banking Law: Banking Services-Credit Assurance-Bank Surveillance-Consumer Protection in the Banking Sector	30	6	100%		6,67%
European & International Competition Law/Antitrust Law	16	3	100%		3,33%
Mediation and Ombudsman scheme in the Banking Sector	16	3	100%		3,33%
Core Total		54			
Elective Courses					
Elective 1	16	3	100%		3,33%
Elective 2	16	3	100%		3,33%
Electives Total		6			
Dissertation					
Dissertation thesis		30			33,33%
Total					100%
Degree Total		90			

*Coursework may consist of a short exam, an invigilated test, a group or individual assignment.

Re-examination of Failed Courses

- 7.1 Students who fail a course will be required to retake any assessment component for which their mark falls below 5.00.
- 7.2 Re-sit provisions will apply to all failed courses under the following provisions:
- The re-sit method and date shall be prescribed by the Course Office in accordance with the course regulations. The content of the re-assessed component will be decided by the Course instructor(s);
 - A course may be re-sat only once.
- 7.3 A student who successfully completes a re-sit shall be awarded the credits for the course. The grade awarded for other components will be the original grade. The course grade will be calculated using the weightings detailed in the matrix on the previous page. This grade will be used in calculating the overall degree grade.
- 7.4 A student who does not pass his or her re-sit by the date specified shall not progress on the Programme and the Programme Director shall make a recommendation to the General Assembly of the School that the student withdraw.

Coursework Submission

- 8.1 Coursework must be submitted via online submission to the E-learning platform at <https://elearn-ucips.ihu.gr/> (this constitutes your receipt of submission).
- 8.2 **The deadline for all coursework is at 17:00 (5pm) on the submission date, unless otherwise indicated by the lecturer.** Students are required to retain a copy of all coursework submitted.
- 8.3 Online coursework submission allows the course officer to check the timeliness of submissions.
- 8.4 Late submission of coursework is unacceptable other than in the most extreme circumstances. In such circumstances, a student must submit a written request for an extension in advance of the deadline to, and gain permission from, the relevant course office, NOT the lecturer. The student will need to produce supporting evidence as to why he/she is unable to meet the deadline. If permission is granted, a new submission date will be given without penalties to the grade. If students submit their coursework late without permission, a system of penalties will apply, as follows: Work submitted late without permission is immediately penalised by 7% for late submission plus 1% daily, including weekends. The maximum period for late submission is 2 weeks. Work submitted later than two weeks after the proper date shall not be accepted and shall therefore be graded with a mark of 0.00.
- 8.5 The mark presented to the Assessment Board will be the final one after deductions have been implemented.

Class Attendance and Timely Arrivals

- 9.1 Students are expected to attend all lectures and all other scheduled activities.
- 9.2 In the case of unavoidable absences, **from 20% to 50%** of the total taught hours of the course, written proof of medical or other serious personal or professional reason justifying the absence must be submitted.
- 9.3 In case of **unjustified absence** (without written proof) **for more than 20%** of the total taught hours of a taught course a grade penalty will incur, namely the course grade will be capped at the minimum pass mark (5.00).
- 9.4 Please note that extensive absence from a taught course, i.e., over 50% of the total taught hours of the course, albeit justified, will incur a grade penalty, namely, the grade of the course will be capped at the minimum pass mark (5.00). If a student is absent for the 100% of the total taught hours of the course, this course must be taken if available the following year. If a student does not attend two courses or in case of extensive absenteeism, the General Assembly of the School is responsible for deciding whether this may lead to a suspension of studies or withdrawal from the programme.
- 9.5 Late arrival to a lecture or class is unacceptable and the lecturer has the right to refuse admission. In any case, every effort should be made to ensure that entrance does not interrupt the lecturer or distract the class.
- 9.6 Lectures normally include breaks. Lectures are carefully prepared and timed and any delay in restarting may cause it to over-run. The lecturer has the right to refuse readmission to anyone returning late.

Good Conduct

- 10.1 Students must use university facilities and equipment properly and with due care, to prevent damage or malfunction, and otherwise shall bear the responsibility for replacing damaged items.
- 10.2 Students shall behave with respect towards the teaching staff and administrative personnel of the University, as well as towards their fellow students, and shall not cause problems with disorderly behaviour.
- 10.3 Mobile phones should be turned off during lectures. Phones ringing during a lecture are not only intrusive but also extremely offensive.
- 10.4 Students wishing to make audio-recordings during course tuition must obtain the lecturer's written permission.

Students' Complaints Procedure

Students who wish to make a complaint concerning the quality of an academic programme, any related service or member of the academic or administrative staff should first do so at the local level, by raising the issue with the individual, department or service provider directly involved. Issues of concern may often be resolved more quickly and effectively at this stage.

If a student decides to make a complaint, this will be taken seriously and confidentiality will be respected. Investigations will be carried out thoroughly and the issue determined fairly by someone who is not directly involved in the complaint. It should be noted, however, that complaint resolution may not be possible without revealing the identity of the complainant to the subject of the complaint and anonymous complaints will not be investigated. Allegations which are found to be unsubstantiated or malicious will be dismissed.

Appeal Committee

- 12.1 Students are entitled to submit an appeal to an Appeal Committee, appointed by the Governing Board, with respect to any decision concerning their status at the University. A student submitting an appeal is invited to exercise his/her right to be heard, according to Article 6 of the Greek Administrative Procedure Code.
- 12.2 The Appeal Committee examines any appeals against decisions of the Governing Board and/or the General Assembly of the School according to Article 24 of the Greek Administrative Code of Procedure.

Postponement of studies

Postgraduate students may postpone their studies for a period no longer than one academic year or two successive academic semesters, following a respective application submitted to the General Assembly of the School – and approval thereof – for reasons related to the student's family and personal circumstances, which must be documented accordingly.

Bibliographies and References Format Primary Sources

Bibliographies and references are to be arranged in a single list at the end of the area of work and presented in alphabetical order according to the surname of the first author. In the case of identical family names, alphabetise next by the forename or first initial of the author. In the case of two or more references by the same author, the name is given for the first entry, and an eight-space line (the underscore key struck eight times) takes its place in subsequent entries. The entries are then arranged chronologically with most recent submissions first. Please note that you are solely responsible for ensuring accuracy and format consistency in the bibliography and references section of any papers you write.

Some examples:

Do not use full stops in abbreviations. Separate citations with a semi-colon.

Cases

Give the party names, followed by the neutral citation, followed by the *Law Reports* citation (eg AC, Ch, QB). If there is no neutral citation, give the *Law Reports* citation followed by the court in brackets. If the case is not reported in the *Law Reports*, cite the All ER or the WLR, or failing that a specialist report.

Corr v IBC Vehicles Ltd [2008] UKHL 13, [2008]
1 AC 884

R (Roberts) v Parole Board [2004] EWCA Civ 1031, [2005] QB 410

Page v Smith [1996] AC 155 (HL)

When pinpointing, give paragraph numbers in square brackets at the end of the citation. If the judgment has no paragraph numbers, provide the page number pinpoint after the court.

Callery v Gray [2001] EWCA Civ 1117, [2001] 1

WLR 2112 [42], [45]

Bunt v Tilley [2006] EWHC 407 (QB), [2006] 3

All ER 336 [1]–[37]

R v Leeds County Court, ex p Morris [1990] QB 523 (QB) 530–31 If citing a particular judge:

Arscott v The Coal Authority [2004] EWCA Civ 892, [2005] Env LR 6 [27] (Laws LJ)

Statutes and statutory instruments

Act of Supremacy 1558

Human Rights Act 1998, s 15(1)(b)

Penalties for Disorderly Behaviour (Amendment of Minimum Age) Order 2004, SI 2004/3166

EU legislation and cases

Consolidated Version of the Treaty on European Union [2008] OJ C115/13

Council Regulation (EC) 139/2004 on the control of concentrations between undertakings (EC Merger Regulation) [2004] OJ L24/1, art 5

Case C-176/03 *Commission v Council* [2005] ECR I-7879, paras 47–48

European Court of Human Rights

Omojudi v UK (2009) 51 EHRR 10

Osman v UK ECHR 1998-VIII 3124

Balogh v Hungary App no 47940/99 (ECHR, 20 July 2004)
Simpson v UK (1989) 64 DR 188

Secondary Sources

Books

Give the author's name in the same form as in the publication, except in bibliographies, where you should give only the surname followed by the initial(s). Give relevant information about editions, translators and so forth before the publisher, and give page numbers at the end of the citation, after the brackets.

Thomas Hobbes, *Leviathan* (first published 1651, Penguin 1985) 268 Gareth Jones, *Goff and Jones: The Law of Restitution*

(1st supp, 7th edn, Sweet & Maxwell 2009)

K Zweigert and H Kötz, *An Introduction to Comparative Law* (Tony Weir tr, 3rd edn, OUP 1998)

Contributions to edited books

Francis Rose, 'The Evolution of the Species' in Andrew Burrows and Alan Rodger (eds),

Mapping the Law: Essays in Memory of Peter Birks

(OUP 2006)

Encyclopedias

Halsbury's Laws (5th edn, 2010) vol 57, para 53

Journal articles

Paul Craig, 'Theory, "Pure Theory" and Values in Public Law' [2005] PL 440

When pinpointing, put a comma between the first page of the article and the page pinpoint. JAG Griffiths, 'The Common Law and the Political Constitution' (2001) 117 LQR 42, 64

Online journals

Graham Greenleaf, 'The Global Development of Free Access to Legal Information' (2010) 1(1) EJLT <

<http://ejlt.org/article/view/17> > accessed 27 July 2010

Command papers and Law Commission reports

Department for International Development, *Eliminating World Poverty: Building our Common Future* (White Paper, Cm 7656, 2009) ch 5

Law Commission, *Reforming Bribery* (Law Com No 313, 2008) paras 3.12–3.17

Websites and blogs

Sarah Cole, 'Virtual Friend Fires Employee' (*Naked Law*, 1 May 2009)

<www.nakedlaw.com/2009/05/index.html> accessed 19 November 2009

Newspaper articles

Jane Croft, 'Supreme Court Warns on Quality'

The International Hellenic University follows the OSCOLA Reference Guide.

Tip: Pay attention to detail and get your sources (facts) right!!!

Plagiarism – Fraudulent Coursework – Malpractice

15.1 Plagiarism is the passing off of the ideas or words of someone else as though they were your own. It applies equally to the work of other students as to published sources. In addition, auto-plagiarism takes place when a student presents any prior writing of his or her own work, from another course or school, as entirely fresh work for course credit. This is also considered plagiarism.

15.2 Fraudulent or fabricated coursework is defined as work such as reports of laboratory or practical work that are untrue and/or fabricated, submitted to satisfy the requirements of a University Assessment in whole or in part.

15.3 Malpractice in University Assessments occurs when a candidate attempts to mislead or deceive the examiners concerning the work submitted for assessment. This includes colluding with others (including other students) in the preparation, editing or submission of work.

15.4 PENALTIES

The University takes a serious view of plagiarism, fraudulent, fabrication and malpractice and will act to ensure that students found breaching its guidelines are dealt with severely. This action may lead to expulsion from the University. All work is marked on the assumption that it is the work of the student: the words, diagrammes, computer programmes, ideas and arguments should be their own. However, much coursework will be based on what students have read and heard and it is important that you show where, and how, your work is indebted to those other sources.

Range of Penalties:

When determining the penalty for a plagiarized, fraudulent, fabricated piece of work or other malpractice the following points should be taken into consideration that affects the severity of the penalty imposed:

- Severity of the offence (percentage of plagiarised work)
- The student's explanation and response to the allegation
- Maintenance of the principles of equal treatment and proportionality

15.5 Range of Penalties at School Level:

The penalties which can be imposed at School level, by the General Assembly of the School regard components of up to 50% of the course evaluation. The penalties range from a re-writing of a coursework to a capped mark for the whole course. In all cases a reprimand letter will be sent to the student from the School.

15.5.1 Re-writing of coursework by removal/correction of plagiarised parts: Work that is identified as plagiarised in part must be expunged and re-written before the mark for the assessment and for the course can be released. There will be a minimum 10% reduction in the mark of the re-written component. The mark will be aggregated with the marks for the remaining components of the course. Normal resit opportunities will be retained.

15.5.2 Submit a new piece of work: On the same/similar topic or a different one (based on instructors' advice) the student will be required to submit a completely new assignment for the particular piece of coursework. There will be a minimum 10% reduction in the mark of the re-written component. The mark will be aggregated with the marks for the remaining components of the course. Normal resit opportunities will be retained in the case of a failed mark.

ii) Submit a new piece of work - component mark capped: On the same/similar topic or a different one

(based on instructors' advice) the student will be required to submit a completely new assignment for the particular piece of coursework. The mark will be capped at 5 and will be aggregated with the marks for the remaining components of the course. Normal resit opportunities will be retained in the case of a failed mark.

iii) Submit a new piece of work – course mark capped: On the same/similar topic or a different one

(based on instructors' advice) the student will be required to submit a completely new assignment for the particular piece of coursework. The mark is capped at 5 for the whole course and not only for the specific course component. Normal resit opportunities will be retained in the case of a failed mark for all course components.

15.6 Range of Penalties at Governing Board Level:

The penalties of course repetition and permanent exclusion from studies can only be applied by the Governing Board. Such penalties may be proposed by the General Assembly of the School to the Governing Board which is competent to take the final decision on the matter. Such penalties are recommended in cases of high severity of the offence (i.e., very high percentage of plagiarised work in dissertation thesis). The Governing Board has the discretion to also impose any of the aforementioned penalties, taking into account the severity of the offence.

15.6.1 Course mark capped - Repeat the course: The student will be required to repeat the respective course in which plagiarism has occurred in its entirety by attending the whole course again when this is next available. The mark for all course components is capped at the pass mark. The marks for other courses are retained. If the plagiarised offence occurred

on courses such as the dissertation thesis, consulting project or similar, the student will need to wait for up to a year until a new allocation of projects and dissertations are in place.

iii) Permanent exclusion from the University with no award: The student will be requested to withdraw from his/her studies and no award will be made.

Academic Misconduct

- 16.1 The University takes very seriously any form of cheating in examinations or other forms of assessment, including plagiarism (see above), impersonation, collusion and disruption.
- 16.2 Cases of suspected academic misconduct will be reported to the course office and academic staff and, where misconduct is established, a range of penalties may be recommended to the General Assembly, which body will decide on the penalty to impose. Its decision will reflect the severity of the offence and intent and may also result, in extreme circumstances, in expulsion from the University.

Examination Regulations

- 17.1 Students must bring an ID document with them to all examinations. Admission to an examination without the ID document is prohibited.
- 17.2 Students must ensure that they arrive early enough to find the room in which they are sitting the examination. If they arrive up to half an hour late for their examination, they will normally be permitted to sit their exam. No extra time will be given and students must finish together with all others taking the same paper. Only in the case of exceptional circumstances delaying their attendance and beyond their control will the full allotted time be allowed for the paper.
- 17.3 Students will normally be permitted to enter the examination room approximately 10-15 minutes before the start of the examination and only after permission has been given by the invigilator.
- 17.4 Students are not permitted to take any coat or bag or personal belongings (other than those needed for an examination) to the examination desk. Before entering the room, an invigilator will announce where belongings should be placed. Possession of a mobile phone, walkman, pager, personal organiser or any electronic device (other than those specifically allowed for an examination) is strictly prohibited whilst sitting an examination. Mobile phones must be switched off and placed in the student's coat/bag. Failure to do so may result in disciplinary action. Belongings should be kept to a minimum. Possessions are left at students' own risk.
- 17.5 Upon entering the examination room, talking is strictly prohibited. During the examination, students must fully comply with the invigilator's instructions and requests. Failure to comply may result in expulsion from the exams and corresponding penalties imposed by the School General Assembly.
- 17.6 Once students have found their desk they must await the invigilator's instruction. They will be asked to fill in their details on the front of the answer booklets. At this time they must place their ID document, face up, on their desk in order for an invigilator to confirm their identity. The invigilator will give permission to start reading the question paper. It is in students' own interest to read the instructions on the question paper carefully.
- 17.7 Students are required to supply their own pens, pencils, etc., at each examination. Where permission is given, students must supply their own hard-copy dictionary and calculator. Electronic dictionaries are not permitted. Students must comply with all instructions given by an invigilator before, during and after the examination.
- 17.8 If a student has a query, he/she should raise a hand and an invigilator will approach them. Students must

not vacate the desk for the duration of the examination without the express permission of an invigilator. Failure to comply is an examination offence and may result in the examination script not being marked.

- 17.9 Students are not permitted to leave the examination room during the first half hour or the last 15 minutes of the examination. If they wish to leave the room at any other time during the exam, they should raise their hand and an invigilator will respond to their request. When allowed to leave, students should leave the room as quickly and quietly as possible with due consideration to their fellow students who may still be working. If students are given permission to temporarily leave the room, they will be accompanied by an invigilator. During this time they will not attempt to contact any other person or consult any material relating to the examination.
- 17.10 When the invigilator announces the end of the examination, all students must stop writing. The front of each answer booklet must be fully completed and the flap must be sealed securely. Students must not leave their desk until the script has been collected by an invigilator. A copy of the exam paper may only be taken if permission has been given to do so.

Extenuating circumstances

- 18.1 Students unable to attend an examination or to submit a piece of coursework at a set time due to illness, bereavement, business travel abroad or any other personal circumstance must submit documentary evidence testifying the reason for their absence. Students need to fill in a special Extenuating Circumstances Form (available on the E-learning platform at <https://elearn-ucips.ihu.gr/>) and submit it to the course office within 10 days of the examination/coursework submission deadline. This will be considered by a competent committee appointed by the General Assembly of the School, which will decide whether to accept the reason and allow the student to take the examination as a first attempt or allow the student to submit the coursework he did not submit on a new deadline (or allowable resit) or reject it and count the absence as a failure. In exceptional circumstances, and following approval by the General Assembly of the School, a special examination date may be set for the student or a new deadline given for submission of the paper.
- 18.2 **Special Examination Arrangements** Students with a physical or learning disability are given extra examination time or sit their examinations at an alternative venue along with any special provisions available. In order for students to apply for such special arrangements, they must provide the Course Office with current certification (from a responsible official state institution) detailing their condition well ahead of the exam period. The Course Office will decide on the special examination provisions to be made.

Dissertation Supervision and Submission

- 19.1 The Master's Dissertation is supervised by an academic member of staff. Students are encouraged to have regular meetings with their supervisor. Supervisors assist students in their research work by acting as consultants and counsellors in matters of research process and practice: students are expected to become the experts in the topic they selected for research and take responsibility for their work.
- 19.2 The Dissertation is assessed by a three-member academic committee. If there is a difference of more than 3 points (on a scale of 1-10) in the evaluations of the three examiners, then a fourth evaluation is called for. The final grade awarded on the Dissertation will be the average of the mark given by the fourth examiner and the closest two marks to it of the other three marks.
- 19.3 To qualify for a Master's degree, a student must achieve a minimum grade of 5.00 in the Dissertation.
- 19.4 The Dissertation must be submitted in the approved format. The Dissertation is due to be submitted by **31 January 2024**. Extension beyond this deadline will only be given in extreme circumstances and with the agreement of the student's supervisor and the Programme Coordinating

Committee. A maximum of two weeks' extension is permitted in the first instance. **Any application for extension must be made at least three weeks before the due date of submission**, by completing and submitting the Extenuating Circumstances Form (available on the E-learning platform at <https://elearn-ucips.ihu.gr>). It is the student's responsibility to have the Extenuating Circumstances Form properly approved.

- 19.5 If the Dissertation is submitted late without permission, it will be immediately penalised by 7% for late submission plus 1% daily, including weekends. The maximum period for late submission is 2 weeks. Any dissertation submitted later than two weeks after the proper date shall not be accepted and shall therefore be graded with a mark of 0.00.
- 19.6 The submission requirements for dissertations are:
- Dissertations must be submitted via online submission to the E-learning platform at <https://elearn-ucips.ihu.gr> (this constitutes receipt of submission). The deadline is 17:00 (5pm) on the submission date.
- 19.7 The International Hellenic University has adopted an **Open Access Policy** from 10/02/2015 (<https://repository.ihu.edu.gr/xmlui/page/openaccess-policy-en>). In brief, Open Access (OA) literature is digital, online, free of charge, and free of most copyright and licensing restrictions.
- 19.8 Along with this policy, the IHU Library proceeded with the creation of an Institutional Repository (<https://repository.ihu.edu.gr/xmlui/> the online archive), where all scholarly material can be submitted, kept and managed.
- 19.9 Part of the collection consists of the Master's dissertations and PhD theses. **Students are required to submit their dissertations and theses to the repository making them accessible to the wider academic community.** As the pdf file is the final version, content alterations are not possible. This process is part of the dissertation/thesis submission workflow and is intended to ensure the content accuracy and quality of the dissertation/thesis submitted.

Students are strongly advised to carefully read the terms of submission before submitting their work <https://repository.ihu.edu.gr/xmlui/page/terms-en>.

Re-examination of Failed Dissertation

- 20.1 Students who fail the dissertation will be required to re-submit their dissertation on the same or a similar topic. Students are allowed to re-submit their dissertation only once, assuming a valid submission was made in the first instance.
- 20.2 The deadline for re-submission is 6 weeks after the publication of the mark of the first submission.

Assessment Boards

- 21.1 The Assessment Board is responsible for considering and agreeing all assessment results and making decisions about whether students have met all the requirements of the programme. Any results given to students during the year are provisional prior to ratification by the Assessment Board. Any extenuating circumstances submitted by students, such as ill-health, are considered by a Panel the recommendations from which are presented to the Assessment Board.
- 22.1 Assessment Boards are held three times over the academic year following each assessment period. Examination papers are marked initially by subject lecturers. All marks, coursework and examinations are reported to and verified by the Assessment Board. Examination results are made available to students no later than 12 working days after an Assessment Board meeting.

Degree Classification

The award of the degree shall be calculated on the basis of the overall aggregate of the course marks weighted according to their credit value. The classification shall be determined as follows:

Distinction will be awarded if:

The weighted average mark across all courses and the dissertation is 8.50 or above. Merit will be awarded if:

The weighted average mark across all courses and the dissertation is between 6.50 – 8.49 inclusive. Pass will be awarded if:

The weighted average mark across all courses and the dissertation is between 5.00 – 6.49 inclusive Fail. A student fails to meet the requirements for the award of a degree if:

The average mark of any course or the dissertation is below 5.00 after one re-sit examination or assessment.

Certificates of Excellence:

Graduates who acquire a mark of 8,5 and above for their Degree will receive a Certificate of Excellence. In case all graduates acquire Degree marks of less than 8,5, during an academic year the graduate who acquires the highest mark in class will receive a Certificate of Excellence

PART III: UNIVERSITY FACILITIES

IHU Library & Information Centre

Mission statement

The Library mission is to provide high quality services to all members of the IHU academic community (students, researchers, teaching staff, administration staff, etc.) and to support user access to specialised knowledge in their scientific fields. The Library collection consists of books, journals, reference material, subscriptions to online databases and electronic journals, both relating to the modules taught on the EMBA & Masters Courses and to the wider research and information needs of the Academic Community.

Library collection

The Library cares for the enrichment and administration of its collection and other resources, in order to meet the educational, research and/or other cultural needs of the university community. The Library is also responsible for the administration of these collections according to its regulations of operation, including the process of selecting, ordering and acquiring material. The selection of the appropriate printed materials as well as other resources is assisted by the members of the academic community of the University.

Members of staff are responsible for ordering and taking receipt of the material. This process includes checking proper receipt of copies ordered and the invoice prices. The incorporation of the material into the collection is completed with the inventory and registration in the automated catalogue. The work is performed by librarians specialised in the digitised cataloguing of materials.

The following international standards are implemented in the processing of Library materials:

- For cataloguing: the Anglo-American Cataloguing Rules (AACR)
- For electronic cataloguing: the rules of Machine Readable Cataloguing (MARC21)
- For classification: the Dewey Decimal Classification system
- For subject terms: the Library of Congress Subject Headings (LCSH)

The Library Collection comprises a wide range in terms of subject, of book titles and print journals relating to the courses offered at the University. Databases and electronic materials are also available to the user community, ensuring that their educational and research needs are covered.

Collection Management

The books are located in the main Library area, classified according to the Dewey Decimal Classification System. Subject signs are displayed on the shelves to assist users in their search.

All books are available for loan according to the loan regulations, with the exception of reference material (dictionaries, encyclopaedias, art books and student theses), which are placed on distinct bookshelves.

The journals are clearly visible in alphabetical order on special display shelving. The journals are available only for use in the Library area and are not for loan.

Electronic databases and all other electronic materials are available on site in the Library. The databases can be accessed only by the internal users of the Library using passwords and personal codes.

The print material is catalogued on the automated Library system SIERRA using the MARC21 format, the Anglo-American Cataloguing Rules and the Library of Congress Subject Headings.

All print material is searchable through the Library online catalogue (http://opac.seab.gr/*eng).

Donations

All donations are welcome. Acceptance is on the basis of assessment and valuation. The criteria taken into account in the assessment are:

- The importance and/or rarity of the material contained in the donation (or other special reason)
- The donated material's relevance to the development objectives of the Library
- The fitness of the gift
- Respective gaps in the Library collection
- Any need to supplement the number of copies available within the collection due to frequent use.

Users

Access to the Library and reading rooms is open to all the members of the academic community and, upon respective authorisation, to members of the public.

“Library User” is taken to mean anyone entering the Library and reading rooms for the purpose of using their materials and resources for educational and research purposes. In the case of high attendance, priority is given to the Members of the Library.

Members of the Library and reading rooms are members of the university community, including: a) students,

b) graduate students, c) lecturers, d) invited lecturers, e) academic staff, f) administrative staff and g) invited researchers.

Other external users are permitted to visit the Library and use (study) the print material only within the area of the Library. External users are not allowed to borrow material or use the databases and electronic material.

Personal data of members is confidential. Only Library employees acting in their capacity as such and the administrator of the database of the automated Library system shall have access to this data, which shall not be disclosed to any third party.

An information and assistance service operates in the Library area.

User obligations

Users are required to abide by the regulations, comply with the recommendations of staff and respect other users of the areas of the Library and reading rooms.

Users must use with respect all books, documents and any other material they use inside or outside the Library space. They must not write on or damage materials belonging to the Library.

Users are fully responsible and accountable for the loss or destruction, in whole or in part, of any document or equipment, or for damage or wear of materials beyond that resulting from their normal use; users are required to compensate the value of any such loss, damage or wear. The amount of compensation is determined by decision of the competent services of the Library subject to the approval of the relevant

supervisory authority.

Smoking and the consumption of food or drink is prohibited on the premises of the Library and reading rooms. The use of mobile phones and any other device the use of which, at the discretion of staff, involves annoyance to other users is also prohibited.

Members of staff have the right, at their own discretion, to prohibit objects which can cause damage to the material or which may give cause for suspicion of intended theft.

Animals (other than guide dogs) are not allowed into the Library.

Users must not put the books or journals they have used back on the shelves, but should leave them on the desk designated for this purpose.

Borrowing


Terms of loans and renewals

All Library members have the right to borrow material.

The conditions under which a user may borrow material depends on the user category:

EMBA Students	up to 5 books for 35 days
Full-time and part-time Masters Students	up to 5 books for 5 or 15 days
Academic Staff	up to 5 books for 5, 15 or 35 days
Administration Staff	up to 3 books for 5 or 15 days
Alumni	up to 2 books for 5 or 15 days

The following signs on the book spine indicate:  = 5 days loan

 = not for loan

 = reference material, not for loan

The material is inspected when borrowed and returned. In the case of damage or unjustified wear, a fine will be charged accordingly by the Library.

The loan period may be extended by users by contacting the Library staff.

Users can apply to reserve a book already out on loan. With the return of the book the interested user is notified by telephone or by email. The user who has the material on loan is required to return it within the time limits set by the automated Library programme and may not extend that period.

Electronic information services

The electronic resources are available locally on the University campus (Library area, PC Labs) or remotely via VPN instalment and the use of codes and passwords.

The Library staff can change the codes and passwords during the academic year in order to ensure the security of the codes. Users are always informed of such changes.

All users are obliged to sign the copyright agreement confirming that they will use databases for their own private purposes and that the codes and passwords will not be disclosed to any third party. In addition, users must affirm that the data they collect will be used only for academic purposes.

The Library website (<http://www.lib.ihu.edu.gr/>) provides information on all the services offered by the Library, such as electronic resources and a brief analysis of the same, bibliographic databases, electronic journals. Information about how to contact staff, hours of operation and a form by which to submit quick questions (Ask a librarian) are also available.

The IHU Library provides users with an interlibrary loan service allowing them to access material in other libraries, as defined by the decision of the supervisory authority. The material becomes subject to Interlibrary Loan provisions of this Regulation and to any other regulations imposed by the lending Library. The due date and overdue fees of the material borrowed are set by the lending Library.

Photocopying and digital reproduction

All Library users shall use the Library photocopy machine to cover only their needs as arising in the context of their studies.

If any item is not in good condition or there is a danger of suffering damage, it shall not be photocopied.

Users are obliged to respect the legislation on the protection of intellectual property and copyright (up to 10% of the total number of pages of a single authored book is allowed).

Users are obliged to respect and comply with any license terms that the University has signed with third parties regarding the reproduction by any means of books (photocopying, photographing, electronic reproduction), the use of software and databases, and access conditions and use of such data.

User training

The acquisition of new sources, methods of information retrieval and the use of services provided require the proper training of Library Members so as to be in a position to fully benefit from Library resources and services. The Library operates an education service which is responsible for the organisation of appropriate training seminars.

Library working hours

The IHU Library & Information Centre is open throughout the year except during University holidays.

Opening hours: **Consult the library's website:**

<http://www.lib.ihu.edu.gr/index.php/the-library/working-hours>

Library Contact Details

T +30 2310 807560

library@ihu.edu.gr

ICT Services

Computer laboratories are available for student use and for teaching purposes on the University campus. The facilities provided are primarily PC-based computing and internetworking, reflecting the mix of Information & Communication technologies (ICT) available in the business community. The main PC labs have PCs with Windows 10, connected to the University campus area network and to the Internet, which gives users access to electronic mail, conferencing facilities, and library, academic and business information

worldwide. There is also wireless (WiFi) access to the University network covering the entire campus, as well as universal access to/from other Universities through the global EduRoam network. An extensive range of software includes a variety of generic PC software such as word processing, spreadsheet and business graphics, as well as more specialized software such as statistical packages, software development frameworks, simulation packages, CAD software and business management software. The facilities, together with the Computer Support Service, are designed to provide full IT support for students, backed up with all the help and advice they may require.

Careers Office

The Careers Office is one of the most active, dynamic and forward looking departments of the International Hellenic University. Its role is to actively engage students in exploring and pursuing their career aspirations by providing a wide range of career - related services.

Mission of the Careers Office

The Careers Office is committed to providing professional guidance, resources and access to employment opportunities to a diverse body of students and alumni. The office has adopted a student-centred philosophy according to which each student receives individual support for every career concern.

Webpages

- Visit the Careers Office website at <https://ecs.ihu.edu.gr/> and find out more about the services offered.
- Visit the Business Gateway portal at www.ihu.edu.gr/gateway and have access to employment and internship opportunities from the global job market.

Contact us

We welcome your questions regarding your career planning and your career opportunities. An IHU Careers Officer will respond to your inquiry as soon as possible. Please direct your inquiries to careers@ihu.edu.gr or give us a call.

Tel: +30 2310 807 507

Where to find us: The Careers Office is located in Building A, Ground floor.

Alumni Network

As an alumnus of IHU, you are invited to be a part of an active network that helps you to stay in touch with each other and feel part of the School after your graduation. The network is designed to facilitate your connections and to enhance global communication for both social and business opportunities.

Staying in contact with the IHU has a number of benefits, including:

- ☐ Individual career advising
- ☐ Lifelong support on career issues
- ☐ National and International networking opportunities
- ☐ Continued learning and career advising
- ☐ Access to online services

- Access to library resources
- Participation in various events including career fairs, reunions, social gatherings, symposiums and conferences

You become a member of the Alumni Network automatically upon graduation and membership is free of charge. Upon your graduation, you are eligible to become a member of “International Hellenic University Alumni” group at LinkedIn.

Alumni who decide to follow a second postgraduate programme of study at the IHU after the successful completion of their first programme at the IHU are granted a 20% fee discount.

We envisage that many alumni will maintain close links with the School and will be welcomed back to act as advisors or mentors, to work with us on recruitment both in Greece and abroad, providing invaluable help at University Fairs, and offering current students job briefings, mock interviews and advice on business research projects.

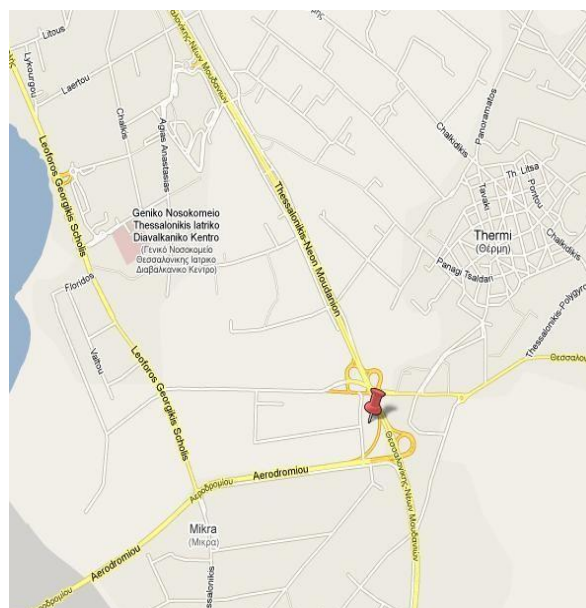
Contact Information

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