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**Federal State Autonomous Educational Institution of Higher Education
PEOPLES' FRIENDSHIP UNIVERSITY OF RUSSIA
named after Patrice Lumumba**

LAW INSTITUTE

educational division (faculty/institute/academy) as higher education programme developer

COURSE SYLLABUS

LAW OF INTERNATIONAL BANKING TRANSACTIONS

course title

Recommended by the Didactic Council for the Education Field of:

40.04.01 JURISPRUDENCE

field of studies / speciality code and title

The course instruction is implemented within the professional education programme of higher education:

INTERNATIONAL PRIVATE LAW

higher education programme profile/specialisation title

1. COURSE GOAL(s)

The goal of the course «Law of International Banking Transactions» is to acquaint students with the activities of international commercial arbitration of different countries, to develop students' skills in practical application of the provision of law which regulate the activities of International banking transactions.

The main goals of this discipline is:

- to form a student understanding of the legal regulation of the international banking transactions;
- to teach the student:
 - freely operate with the appropriate conceptual apparatus;
 - analyze and apply the provisions of the international banking transactions;
 - prepare necessary documents for work with International banking transactions: form of the agreements, guarantees/counterguarantees, notices under the transactions;
 - analyze the statute law sources and judicial practice in the field of International Banking transactions.

2. REQUIREMENTS FOR LEARNING OUTCOMES

Mastering the course (module) «Law of International Banking Transactions» intends to train and guide students to achieve the development of following competences (competences in part):

Table 2.1. List of competences that students acquire through the course study

Competence code	Competence descriptor	Competence formation indicators (within this course)
UC-7	UC-7. Able to: search for the necessary sources of information and data, perceive, analyze, memorize and transmit information using digital means, as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; evaluate information, its reliability, build logical conclusions based on incoming information and data	UC-7.1. Searches for the necessary sources of information and data, perceives, analyzes, memorizes and transmits information using digital means, as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; UC-7.2. Evaluates information, its reliability, builds logical conclusions based on incoming information and data.
GPC-1	GPC-1. Able to analyze non-standard situations of law enforcement practice and offer the best options for their solution	GPC-1.1. Possesses general and special knowledge to identify and resolve non-standard situations (situations in which uniform approaches to the application of the law have not been formed) in law enforcement practice; GPC-1.2. Analyzes non-standard situations in law enforcement practice, including identifying legal and other causes and/or conditions for their occurrence; GPC-1.3. Develops optimal options for solving non-standard situations of law enforcement practice, taking into account possible legal consequences and draws up these decisions in the form prescribed by law.

Competence code	Competence descriptor	Competence formation indicators (within this course)
GPC-2	GPC-2. Able to independently prepare expert legal opinions and conduct an examination of normative (individual) legal acts	GPC-2.1. Knows the rules for preparing expert legal opinions and the rules for conducting an examination of normative (individual) legal acts; GPC-2.2. Able to independently conduct a legal examination of normative (individual) legal acts; GPC-2.3. Possesses the skills of preparation and execution of expert legal opinions and expert examinations of normative (individual) legal acts.
GPC-3	GPC-3. Able to competently interpret legal acts, including in situations where there are gaps and conflicts of law	GPC-3.1. Knows the essence and specifics of the ways and methods of interpreting legal acts, ways to eliminate gaps and conflicts in law; GPC-3.2 Has the skills to interpret legal acts, including in situations where there are gaps and conflicts of law GPC-3.3 Gives qualified explanations on the content and application of the law
GPC-4	GPC-4. Able to argue in writing and orally the legal position on the case, including in adversarial processes	GPC-4.1. Knows the content of basic and specific legal concepts, terms and definitions, is able to use them to build an oral and written position on a specific legal problem; GPC-4.2. Able to argue in writing and orally the legal position on the case, including taking into account the principle of adversarial proceedings; GPC-4.3. Possesses the skills of drafting legal documents on the case and the skills of public speaking with the argumentation of the position for the professional conduct of polemics in the trial.
GPC-5	GPC-5. Able to independently draw up legal documents and develop drafts of normative (individual) legal acts	GPC-5.1. Possesses general and specific legal knowledge necessary for the preparation of legal documents for various purposes and the development of draft normative (individual) legal acts; GPC-5.2. Independently draws up legal documents and develops drafts of normative (individual) legal acts GPC-5.3. Possesses skills in drafting legal documents and drafting normative (individual) legal acts in accordance with the profile of his professional activity
GPC-7	GPC-7. Able to apply information technologies and use legal databases to solve problems of professional activity, taking into account the requirements of information security	GPC-7.1. Knows the basic information technologies and legal bases for solving problems in various areas of legal activity; GPC-7.2. Applies information technologies and uses legal databases to solve the problems of professional activity, taking into account the requirements of information security; GPC-7.3. Owns the skills of information service and data processing to solve the problems of professional activity, taking into account the requirements of information security.
PC-3	PC-3. Able to skillfully apply the norms of substantive and procedural law in specific areas of legal activity	PC-3.1. Knows the specifics of legal regulation and law enforcement practice in specific areas of legal activity;

Competence code	Competence descriptor	Competence formation indicators (within this course)
		PC-3.2. Correctly establishes legal facts, as well as facts and circumstances of legal significance, carries out their comprehensive analysis, taking into account the specifics of the evidence process in specific areas of legal activity; PC-3.3. Correctly carries out legal qualification, correctly and reasonably applies the norms of substantive and procedural law in professional activities; PC-3.4. Takes a law enforcement decision in the form prescribed by law in compliance with its sectoral affiliation, requirements for the structure, procedure for adoption and competence of the subject of law enforcement.
PC-4	PC-4. Able to provide qualified legal advice in specific areas of legal activity	PC-4.1. Knows the specifics and methodology of consulting in specific areas of legal activity; PC-4.2. Provides qualified advice in specific areas of legal activity; PC-4.3. Possesses the skills of legal consulting in specific areas of legal activity

3.COURSE IN HIGHER EDUCATION PROGRAMME STRUCTURE

The course refers to the elective component of (B1) block of the higher educational programme curriculum.

Within the higher education programme students also master other (modules) and / or internships that contribute to the achievement of the expected learning outcomes as results of the course study.

Table 3.1. The list of the higher education programme components/disciplines that contribute to the achievement of the expected learning outcomes as the course study results

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
UC-7	UC-7. Able to: search for the necessary sources of information and data, perceive, analyze, memorize and transmit information using digital means, as well as using algorithms when working with data received from various sources in order to effectively use the information received to solve problems; evaluate information, its reliability, build logical conclusions based on incoming information and data	Comparative Law Research / Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect / Cross-Border Transactions: Legal and Practical Aspect	Law Applicable to Cross-Border Contractual Obligations / Private International Law Issues in the Field of Transnational Insolvency / Private International Law Issues in the Field of Insurance Law / \ Research Work / Educational Internship (Teaching) / Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-1	GPC-1. Able to analyze non-standard situations of law enforcement practice and offer the best options for their solution	Philosophy of Law / History and Methodology of Legal Science /	Law Applicable to Cross-Border Contractual Obligations /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
		Comparative Law Research / Current Issues of Private International Law /	Private International Law Issues in the Field of Transnational Insolvency / Private International Law Issues in the Field of Insurance Law / Research Work / Academic Practice and Legal Consulting and Scientific Research
GPC-2	GPC-2. Able to independently prepare expert legal opinions and conduct an examination of normative (individual) legal acts	Comparative Law Research / Law Applicable to Cross-Border Contractual Obligations /	Law Applicable to Cross-Border Contractual Obligations / Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-3	GPC-3. Able to competently interpret legal acts, including in situations where there are gaps and conflicts of law	Philosophy of Law / Comparative Law Research / Current Issues of Private International Law /	Private International Law Issues in the Field of Transnational Insolvency / Notarial System \ Research Work / Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-4	GPC-4. Able to argue in writing and orally the legal position on the case, including in adversarial processes	Philosophy of Law / Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect /	Educational Internship (Teaching) / Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-5	GPC-5. Able to independently draw up legal documents and develop drafts of normative (individual) legal acts	Comparative Law Research / Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect /	Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Research Work / Academic Practice and Legal Consulting and Scientific Research Internship /
GPC-7	GPC-7. Able to apply information technologies and use legal databases to solve problems of professional activity, taking into account the requirements of information security	History and Methodology of Legal Science / Comparative Law Research / Introduction to Private International Law: Theoretical and Historical Aspect /	Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Research Work /

Competence code	Competence descriptor	Previous courses/modules*	Subsequent courses/modules*
		International Commercial Arbitration and Other ADR /	Educational Internship (Teaching) / Academic Practice and Legal Consulting and Scientific Research Internship /
PC-3	PC-3. Able to skillfully apply the norms of substantive and procedural law in specific areas of legal activity	Current Issues of Private International Law / Introduction to Private International Law: Theoretical and Historical Aspect / International Commercial Arbitration and Other ADR /	Private International Law Issues in the Field of Transnational Insolvency / Notarial System / Private International Law Issues in the Field of Insurance Law / Academic Practice and Legal Consulting and Scientific Research Internship /
PC-4	PC-4. Able to provide qualified legal advice in specific areas of legal activity	International Commercial Arbitration and Other ADR / Law Applicable to Cross-Border Contractual Obligations / Cross-Border	Cyberspace: Jurisdiction and Dispute Resolution/ Private International Law Issues in the Field of Transnational Insolvency / Notarial System Private International Law Issues in the Field of Insurance Law / Academic Practice and Legal Consulting and Scientific Research Internship /

* To be filled in according to the competence matrix of the higher education programme.

4. COURSE WORKLOAD AND ACADEMIC ACTIVITIES

The total workload of the course is 4 credits (144 academic hours)

Table 4.1. Types of academic activities during the periods of higher education programme mastering (**full-time training**) *

Type of academic activities	Total academic hours	Semesters/training modules			
		3/1	3/2	4/3	4/4
Contact academic hours	36	36			
including:					
Lectures (LC)					
Lab work (LW)					
Seminars (workshops/tutorials) (S)	36	36			
Self-studies	99	99			
Evaluation and assessment (exam/passing/failing grade)	9	9			
Course workload	academic hours	4	4		
	credits	144	144		

Table 4.2. Types of academic activities during the periods of higher education programme mastering (**part-time training**) *

Type of academic activities		Total academic hours	Semesters/training modules			
			3/1	3/2	4/3	4/4
<i>Contact academic hours</i>						
including:						
Lectures (LC)						
Lab work (LW)						
Seminars (workshops/tutorials) (S)						
<i>Self-studies</i>						
<i>Evaluation and assessment (exam/passing/failing grade)</i>						
Course workload	academic hours					
	credits					

* To be filled in regarding the higher education programme part-time training mode.

Table 4.3. Types of academic activities during the periods of higher education programme mastering (correspondence training) *

Type of academic activities		Total academic hours	Semesters/training modules			
			3/1	3/2	4/3	4/4
<i>Contact academic hours</i>						
including:						
Lectures (LC)						
Lab work (LW)						
Seminars (workshops/tutorials) (S)						
<i>Self-studies</i>						
<i>Evaluation and assessment (exam/passing/failing grade)</i>						
Course workload	academic hours					
	credits					

* To be filled in regarding the higher education programme correspondence training mode.

5. COURSE CONTENTS

Table 5.1. Course contents and academic activities types

Course module title	Course module contents (topics)	Academic activities types
Regulation of the international banking transactions and its sources	Banking organizations and International banking transactions. Regulation of Lending business. Regulation of the International Payment Services. Electronic Funds Transfer. Cross border financial services and consumers protection. Regional regulatory authorities for international banking transactions.	S
Banks and Lending organizations as the participants of the	International monetary fund, World bank, European bank on the reconstruction and development, Euroasian bank and other international banking organizations,	S

Course module title	Course module contents (topics)	Academic activities types
international banking transactions		
Payment services as the international banking transactions.	Cheques as the main payment source for the international banking transactions; Inkasso transactions and their regulations. Banks duties as the service provider; Execution of payment orders. Regulation and legal status of the international electronic payment systems.	S
International trade financing instruments	Guarantees and Indemnity, Warrantee Guarantees, Counter-Guarantees, Stand by Letters of credit. UCP600, URDG 758 and their role in the international trade relations. Superguarantee and syndicating guarantee as future instruments of the international trade. Role of SWIFT for future trade financing instruments.	S
International lending transactions	Loans with foreign element and applicable law to it. LMA and RLMA and their role for the international lending transactions. Syndicated loans as the most popular type of the international lending transaction,	
Collateral under the international lending transactions	Foreign collateral and its features. Applicable law for collateral under the international lending transactions. Pledge and mortgage under in common law and continental law. Plot and cristalized charge of property. Right of lien by the Lendor of the property of borrower in different jurisdictions.	S
Islamic finance	Main principles of the Islamic financing. Main types of the transactions under the Islamic financing (deposit, lending operations). Implementation of the Islamic financing elements in the traditional finance countries. Islamic Finance Transactions and English law and other jurisdictions.	S
Introduction of information technologies in international banking transactions	Blockchain technology and international banking transactions. Cryptocurrencies and digital asset – their role for future banking transactions. Bigdata regulation and application for banking transactions.	S

* - to be filled in only for full -time training; LC - lectures; LW - lab work; S - seminars.

6. CLASSROOM EQUIPMENT AND TECHNOLOGY SUPPORT REQUIREMENTS

Table 6.1. Classroom equipment and technology support requirements

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
Lecture	A lecture hall for lecture-type classes, equipped with a set of specialised furniture; board (screen) and technical means of multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection.

Type of academic activities	Classroom equipment	Specialised educational / laboratory equipment, software, and materials for course study (if necessary)
		Software: Office 365 (MS Office, MS Teams), Chrome
Lab work	A classroom for laboratory work, individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and machinery.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Seminars	A classroom for conducting seminars, group and individual consultations, current and mid-term assessment; equipped with a set of specialised furniture and technical means for multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Computer Lab	A classroom for conducting classes, group and individual consultations, current and mid-term assessment, equipped with personal computers (in the amount of 30 pcs), a board (screen) and technical means of multimedia presentations.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Self-studies	A classroom for independent work of students (can be used for seminars and consultations), equipped with a set of specialised furniture and computers with access to the electronic information and educational environment	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome
Courtroom	A classroom for court hearing simulation equipped with a set of specialized furniture; a set of devices including portable multimedia projector, laptop, projection screen, stable wireless Internet connection.	Multimedia projector, laptop, projection screen, stable wireless Internet connection. Software: Office 365 (MS Office, MS Teams), Chrome

* The premises for students' self-studies are subject to MANDATORY mention

7. RESOURCES RECOMMENDED FOR COURSE STUDY

Main reading (sources):

1. KIM, T., & MANGLA, V. (2019). Capital Regulation with Two Banking Sectors: Cyclicity and Implementation. *Journal of Money, Credit & Banking* (John Wiley & Sons, Inc.), 51(2/3), 485–537. <https://doi.org/10.1111/jmcb.12596>

2. Lo Schiavo, G. (2019). *The European Banking Union and the Role of Law*. Cheltenham, UK: Edward Elgar Publishing. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&site=eds-live&db=edsebk&AN=2109987>
3. SULLIVAN JR., F. (2018). *Banking, Business, and Contract Law*. *Indiana Law Review*, 51(4), 945–991. <https://doi.org/10.18060/4806.1209>

Additional (optional) reading (sources):

1. Chiti, M. P., & Santoro, V. (2019). *The Palgrave Handbook of European Banking Union Law*. Cham: Palgrave Macmillan. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&site=eds-live&db=edsebk&AN=2138406>
2. Davies, I. (2019). *Issues in International Commercial Law*. Abingdon, Oxon: Routledge. Retrieved from <http://search.ebscohost.com/login.aspx?direct=true&site=eds-live&db=edsebk&AN=2154876>

Internet sources:

1. 1. Electronic libraries (EL) of RUDN University and other institutions, to which university students have access on the basis of concluded agreements:

- RUDN Electronic Library System (RUDN ELS) <http://lib.rudn.ru/MegaPro/Web>
- EL "University Library Online" <http://www.biblioclub.ru>
- EL "Yurayt" <http://www.biblio-online.ru>
- EL "Student Consultant" www.studentlibrary.ru
- EL "Lan" <http://e.lanbook.com/>
- EL "Trinity Bridge"

1. United National Commission on International Trade Law (UNCITRAL): <http://www.uncitral.org/uncitral/en/index.html>;

2. International Institute For The Unification of Private Law (UNIDROIT): <http://www.unidroit.org/dynasite.cfm>;

3. Introduction to the Principles of European Contract Law, with further bibliographic references: <http://www.cisg.law.pace.edu/cisg/text/peclintro.html>;

4. Joint network on European Private Law, with further links: <http://www.copecel.org>.

2. Databases and search engines:

- electronic foundation of legal and normative-technical documentation <http://docs.cntd.ru/>
- Yandex search engine [https:// www .yandex.ru/](https://www.yandex.ru/)
- Google search engine <https://www.google.ru/>
- Scopus abstract database <http://www.elsevierscience.ru/products/scopus/>

*Training toolkit for self- studies to master the course *:*

1. The set of lectures on the course _____
2. The laboratory workshop (if any) on the course _____
3. The guidelines for writing a course paper / project (if any) on the course _____.
4.

* The training toolkit for self- studies to master the course is placed on the course page in the university telecommunication training and information system under the set procedure.

8. ASSESSMENT TOOLKIT AND GRADING SYSTEM* FOR EVALUATION OF STUDENTS' COMPETENCES LEVEL UPON COURSE COMPLETION

The assessment toolkit and the grading system* to evaluate the competences formation level (competences in part) upon the course study completion are specified in the Appendix to the course syllabus.

* The assessment toolkit and the grading system are formed on the basis of the requirements of the relevant local normative act of RUDN University (regulations / order).

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