

LL.M/ITL/03/19

ONE YEAR LL.M DEGREE SECOND SEMESTER EXAMINATIONS, JUNE 2019

LAW OF TRANSNATIONAL SALES

Time: 3 Hours

Maximum marks: 50

Answer ANY FIVE questions. Each question carries TEN marks  
(5 x 10 = 50)

Time: 3 Hrs

Maximum Marks: 50

1. "In every contract of transnational sale of good, the clause dealing with payment embodies four elements, time, mode, place and currency of payment. Various modes of payment represent variations and permutations of these four elements". Comment.
2. "A document of title enables its holder (possessor) to receive, retain, sell, or otherwise dispose of the document and the goods or property listed therein" Explain.
3. The seller must deliver goods which are of the quantity, quality and description required by the contract and which are contained or packaged in the manner required by the contract. Explain the law relating to conformity of goods under CISG.  
Discuss law relating to conformity of sales in transnational sale of goods.
4. The Model Law on E-Commerce was the first legislative text to adopt the fundamental principles of non-discrimination, technological neutrality and functional equivalence that are widely regarded as the founding elements of modern electronic commerce law.  
Discuss
5. Loss of or damage to the goods after the risk has passed to the buyer does not discharge him from his obligation to pay the price, unless the loss or damage is due to an act or omission of the seller. Explain the law relating to passing of risk.
6. Explain different types of insurance policies in transnational sale of goods.
7. "A breach of contract committed by one of the parties is fundamental if it results in such detriment to the other party as substantially to deprive him of what he is entitled to expect under the contract, unless the party in breach did not foresee and a reasonable person of the same kind in the same circumstances would not have foreseen such a result." Explain the CISG approach to breach of contract.
8. Elaborate FOB, FAS and CIF contracts in the context of transnational sale

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