

TRƯỜNG ĐẠI HỌC VĂN LANG
 ĐƠN VỊ: Khoa Thương mại

ĐỀ THI/ĐỀ BÀI, RUBRIC VÀ THANG ĐIỂM
THI KẾT THÚC HỌC PHẦN
Học kỳ 2, năm học 2023-2024

I. Thông tin chung

Tên học phần:	Luật thương mại quốc tế		
Mã học phần:	72LAWB20043	Số tin chỉ:	3
Mã nhóm lớp học phần:	232_72LAWB20043_01		
Hình thức thi: Tiểu luận	Thời gian làm bài:	7	ngày
<input checked="" type="checkbox"/> Cá nhân	<input type="checkbox"/> Nhóm		
Quy cách đặt tên file	Mã học phần_Tên học phần_Mã nhóm học phần_Tên sinh viên		

II. Các yêu cầu của đề thi nhằm đáp ứng CLO

(Phần này phải phối hợp với thông tin từ đề cương chi tiết của học phần)

Ký hiệu CLO	Nội dung CLO	Hình thức đánh giá	Trọng số CLO trong thành phần đánh giá (%)	Câu hỏi thi số	Điểm số tối đa	Lấy dữ liệu đo lường mức đạt PLO/PI
(1)	(2)	(3)	(4)	(5)	(6)	(7)
CLO 1	Identify the risks arising from international business; understand the world's legal system and the different ways in which law can be classified and organized.	Assignment	10%	1,2,3,4	1/10	PLO1: H PLO2: H PLO3: S PLO4: S
CLO 2	Understand the notion of contract, its validity and formation; build up basic knowledge on legal framework governing contract; understand what should be included in content of a contract; understand different types of remedies in contract law and characteristics of each type of remedies.	Assignment	10%	1,2,3,4	1/10	PLO1: H PLO2: H PLO3: S PLO4: S

CLO 3	Understand the terms and conditions stipulated in the international sale of goods contract and contracts for the carriage of goods by sea	Assignment	10%	1,2,3,4	1/10	PLO1: H PLO2: H PLO3: S PLO4: S
CLO 4	Understand various kinds of dispute resolution; understand what should be done when resolving commercial disputes.	Assignment	10%	1,2,3,4	1/10	PLO1: H PLO2: H PLO3: S PLO4: S
CLO 5	Develop legal research skills by searching for and updating legal documents, case law and scholarly writings.	Assignment	10%	1,2,3,4	1/10	PLO8: H PLO9: H
CLO 6	Develop arguments and critical thinking to solve practical situations in business law	Assignment	10%	1,2,3,4	1/10	PLO8: H PLO9: H
CLO 7	Work independently and collaboratively with other students to solve case questions and problems.	Assignment	10%	1,2,3,4	1/10	PLO8: H PLO9: H PLO11: H
CLO 8	Develop a sense of respect and compliance with the law.	Assignment	10%	1,2,3,4	1/10	PLO10: H
CLO 9	Develop a sense of honesty, striving for progress and protection of justice.	Assignment	10%	1,2,3,4	1/10	PLO12: H
CLO 10	Be confident, willing to acquire new knowledge and open to different viewpoints in the field.	Assignment	10%	1,2,3,4	1/10	PLO12: H

III. Nội dung đề bài

1. Đề bài

A seller whose place of business is in Vietnam and a buyer whose place of business is in China entered into a sale of rice contract on 25 November 2020.

Q1. The Vietnamese seller sued the Chinese buyer in a Vietnamese court as the buyer failed to make payments in full. Decide applicable laws to settle the dispute given that

the choice of law clause in the contract as follows: *'The applicable law for this contract is Incoterms® 2020'*.

Q2. Although the contract is silent on the penalty clause, the seller claimed that they are entitled to penalize the buyer. The penalty should be 8% of the goods involved in the late payment. Decide if the seller could claim for penalties.

Q3. The Chinese buyer claimed that they failed to make payments due to the effect of Covid-19 that prevented them from reselling rice to other customers in Europe. Could the seller be exempted due to the Covid-19 pandemic?

Q4. The Chinese buyer also claimed that they failed to make payments because the Vietnamese seller delivered non-conforming rice as stipulated in the contract. Consequently, the buyer declare the contract avoided. Decide if the buyer could claim for the avoidance of the contract.

2. Hướng dẫn thể thức trình bày đề bài

Required format for the essay:

- Font: Arial or Times New Roman
- Size: 13
- Align: Justify
- Spacing: 1.15 lines

3. Rubric và thang điểm

Criteria	Below Average	Average	Good	Excellent
Content	The content is sketchy and is for listing purposes only (2)	The content is relatively complete and established discussion and legal analysis (4)	Complete content, with arguments and legal analysis accumulation (7)	The content is complete, rich, thoroughly analyzed with strong arguments and legal basis support (9)
Format	Lots of spelling and typing errors (0.1)	Quite a few spelling and typing errors (0.2)	Only a few spelling and typing errors (0.3)	No spelling and typing errors (0.5)
Language	Only uses simple sentence structures, little vocabulary, unclear writing style, and lacks logic (0.1)	Use average sentence structure, vocabulary, and essay writing style, not coherent enough. (0.2)	Uses sentence structure, vocabulary, and essay writing style at a good level, but there are still	Demonstrate excellent writing style and tone in impressive writing; writing is clear and coherent (0.5)

			logical errors in a few places. (0.3)	
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Người duyệt đề



TS. Hoàng Chí Cương

TP. Hồ Chí Minh, ngày 10 tháng 4 năm 2024
Giảng viên ra đề



Trần Thanh Tâm