



### *Module Syllabus*

<b>Module Title:</b>	<b>Private International Law</b>	<b>Module No: 410417</b>
<b>Pre-requisite:</b>	<b>Nominated Contracts</b>	<b>Co-requisite:</b>
<b>Module level: Fourth Year</b>	<b>Module Type: specialization requirement</b>	
<b>Credit Hours: 3 Credit Hours</b>	<b>Lecture Time</b>	<b>Daytime Study      Evening Study</b>
<b>Programme of Study: Daytime &amp; Evening Study</b>		

<b>Instructor Name</b>	<b>Academic rank</b>	<b>Office Phone</b>	<b>Office Number</b>	<b>E-mail</b>

<b>Module coordinator</b>	<b>Academic rank</b>	<b>Office Phone</b>	<b>Office Number</b>	<b>E-mail</b>
<b>Dr. Sabri Thyabat</b>	<b>Assistant Professor</b>	<b>396</b>	<b>309</b>	

<b>Office Hours</b>	<b>Special Educational Guidance</b>	<b>Tutorial Guidance</b>	<b>Research</b>

#### **Module Description:**

This course is an analytical study of the conflicting laws pertaining to legal relations that are of a foreign element through elucidating the nature and scope of conflict, its cases and the historical development of the governing norms, the principles of investiture, the theory of adaptation and assignment, and what the Jordanian civil code contains, and comparative legislation, and what international conventions contain insofar as restrictions and the rules of determining the applicable law regarding matters involving a foreign element, in addition to elucidating the cases of applying foreign law and the impediments to applying it. This course also includes the rules for international judicial competence, the rules of confession, the enforcement of judicial decisions and the foreign arbitration decisions in accordance with the Jordanian law for enforcing foreign decisions, the Riyadh judicial cooperation convention, the New York convention particular to arbitration decisions- an analytical study that relies on facing cases and the method of research and adaptation in order to arrive at solutions and deduce legal principles accompanied by analysis and commentary on the judicial interpretations and applications- both national and comparative.

**Module Aims:** This module aims to:

1. provide students with the basic and advanced knowledge in Private International Law related topics, principles, sources and historical development
2. provide students with the cognitive as well as practical skills to deal with Private International Law related topics and to further develop their abilities to learn and apply theoretical knowledge to actual and/or presumed problems
3. develop students abilities to write theoretical and practical legal research papers, and to further use learning resources and modern techniques.
4. Enable students to work with a team spirit and to further build their skills in dealing and communicating with others

**Learning Outcomes** *(Knowledge & understanding, intellectual skills, practical skills & transferable skills)*

**At the end of this module, a student will be able to:**

A/2 portray advanced knowledge in legislative texts and international pacts which govern foreign elements disputes

A/3 elucidate the procedures in executing foreign judgments along with the agencies concerned with that, in addition to interacting and dealing with issues of conflict and disputes over international specialty

B/1 apply theoretical knowledge to actual practical problems or cases in addition to being aware of laws which should be applied along with legal specialty

B/2 diagnose and analyze material facts and legal conducts and actions along with their legal classification, after which they can be installed into an intact legal framework within this legal field

B/4 search within the various sources of the legal legislations in order to deduce knowledge bolstered by information as well as perform skills in this field

B/5 develop legal argumentation and deal in an ideal manner with various logical assumptions in light of specific circumstances

C/1 search within the law to arrive at intact logical solutions to actual and/or presumed problems

C/2 utilize paper and electronic libraries along with other educational sources to be used as a means to indulging into the Private International Law

D/1 use modern techniques skills and information technology

D/4 become abreast of legislations, judicial decisions or rulings, opinions and jurisprudential interpretations relevant to the Private International Law.

D/6 in advance preparation to perform tasks, manage time with precision and a high level of responsibility, and to further benefit from feedback

**Practical Training (Depends on module Practice**

<b>Discussion of scientific cases of conflict</b>
<b>An outside lecturer</b>
<b>Workshop in the multipurpose room. Field visit</b>
<b>Research paper</b>

## Teaching Methods

Methods	Number of Lectures	Scores' distribution
Lectures	36	80%
Multipurpose room and field visits	3	-----
Student's involvement in seminars, tutorials, and group discussions	5	5%
Quizzes and Assignments	4	10%
Paper research & Essays (maximum of 3000words)	---	5%
<b>Total</b>	<b>48</b>	<b>100%</b>

## Modes of Assessment

Modes		Score	Date
<b>Exams</b>	First exam (written)	<b>15%</b>	
	Second exam (written)	<b>15%</b>	
	Final exam (written)	<b>50%</b>	
Multipurpose room and field visits			
Student's involvement in seminars, tutorials and discussions		<b>5%</b>	
Quizzes and assignments		<b>10%</b>	
Paper research essays		<b>5%</b>	
<b>Total</b>		<b>100%</b>	

## Module Outline

This module consists of (48) hours allocated into (16) weeks, (3) hours a week, divided as follows:

Week	Subject	Notes
1 <sup>st</sup>	<b>A Prelude and definition of the Private International Law</b>	
2 <sup>nd</sup>	<b>Development and topics</b>	
3 <sup>rd</sup>	<b>The legal nature of its basis</b>	
4 <sup>th</sup>	<b>Origins</b>	
5 <sup>th</sup>	<b>Identifying conflict and its historical development</b>	
6 <sup>th</sup>	<b>Types of conflicts, causes, solutions and terms or conditions</b>	
7 <sup>th</sup>	<b>The basis for the application of foreign law and its stages (characterization and reference)</b>	
8 <sup>th</sup>	<b>Law to be applied concerning passive and affirmative litigations of nationalities, legal capacity and discourse</b>	

9 <sup>th</sup>	Law governing marriage and related matters: kinship and alimony	
10 <sup>th</sup>	Law governing inheritance, will and properties	
11 <sup>th</sup>	Law governing contractual vs. non-contractual obligations	
12 <sup>th</sup>	Locations of the execution of the concerned foreign law	
13 <sup>th</sup>	Proving and interpreting of foreign law	
14 <sup>th</sup>	The litigation of International judicial jurisdiction	
15 <sup>th</sup>	Exceptions responding to international liberty in regulating international judicial jurisdiction of its courts	
16 <sup>th</sup>	<i>The execution of foreign judicial judgments and arbitration decisions</i>	

### Reading List

#### A- Recommended Text Book

Book Title	Author	Edition	Publisher	Publishing Year
Private International Law	Dr. Ghalib Aldawoudi		Wael's Publishing House	2005

#### B -Additional Reference *(Student will be expected to give the same attention to these references as given to the textbook)*

Book Title	Author	Edition	Publisher	Publishing Year
Private International Law. First part	Dr. Izadeen Abdullah			Cairo, 1969
Private International Law	Dr. Ibrahim A. Ibrahim		Alnahda Alarabia Publishers	2001

#### C -Legal Journals & Magazines

Jordanian Law Society Journal
Lawyers' Journal

#### D -Useful Websites

<a href="http://www.law-book.net/products.asp">www.law-book.net/products.asp</a>
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### **Attendance Policy** (See Article 8 of the University regulation Guideline)

Attendance will be taken by the instructor at the beginning of each class. **On-time** and **regular** attendance is necessary for you to successfully achieve a good mark. Habitual tardiness is considered to be rude and disruptive behavior. An absence is recorded for any reason the student fails to attend class. However, an accumulation of 15% absentia of the total module's hours result in that student will be withdrawn from the module by the module's instructor.

### **Module policy requests**

The instructor of the Module is the last person to enter and the first to leave the classroom. Therefore, students will not be permitted into the classroom once the lecture has started.

Cell phones or beepers must be either turned off or silent. If any student should receive a call during the lecture, he/she must leave the classroom immediately out of courtesy for fellow students. However, students need to bear in mind that they will not be allowed back into the classroom.

### **Expected Workload**

On average, the student is expected to spend at least ( 3 ) hours per week self-studying for this module. The student will be expected to spend 1 hour in reading the lecture's topic before the lecture's due time and half an hour for revision of the lecture.

From time to time, I will give you a quiz to examine your preparation for the lecture. This quiz will be counted towards the total average of the module.

***My role is to help you understand the module's material, so please ask if you are unclear about anything.***

### **Important Dates & Holidays**

DATE	SUBJECT	NOTE
Oct 4	The start of Ramadan	Ramadan is holiday for Evening Study students
Nov 3-5	Festival of Eid al-Fitr	Public Holiday
Nov 14	Commemoration of the late King Hussein's birthday	Public Holiday
Dec 25	Christmas Holiday	Public Holiday
Jan 1	New Year	Public Holiday
Jan 9-12	Festival of Eid Al-Adha	Public Holiday
Jan 30	Birthday of HM King Abdullah II	Public Holiday
Jan 31	Islamic New Year (Hijra New year)	Public Holiday

***Good Luck!!***