

alfran uk Limited

developing international markets

PRINCIPLES OF INTERNATIONAL BUSINESS PRACTICE

4 day workshop designed to provide delegates with an in-depth understanding of the international business environment and to gain a clear knowledge of the processes and practicalities of international business.

DAY 1: Basic Principles of International Business

Basic Business Structures

- Reasons for international trade
- Primary, secondary, tertiary and quaternary sectors
- Forms of ownership
- Public and private sector
- Channels of distribution – agents and distributors

The Financial Objectives of Business

- Concepts of capital, costs, cash flow and profit
- Measures of success; turnover, profit, growth and shareholder value

Money and Banking Operations

- Types of banks; commercial, clearing and investment
- Other financial institutions
- Money and money transmission
- Exchange risk and its basic management

An Introduction to ICT

- Basic functions of ICT
- Use of databases, spreadsheets and Microsoft Office software
- Electronic communications – EDI and the Internet

Organisation & Operations

- Structure of the export/import office;
- Basic operations; sales, purchasing, shipping, payments.

DAY 2: International Trade Management

Business Plans

- Basic plan structures
- Corporate objectives
- Marketing objectives
- Implementation

Marketing

- The marketing concept
- The marketing mix
- The basic applications of electronic commerce

Research

- Internal and external sources of information; uses of databases
- Methods of collection

Business Finance

- Sources of funds
- Financial accounts
- Budgets
- Cash flow

Legal Issues

- Basic contract law
- Incoterms 2000

DAY 3: The Global Marketplace

Global Geography

- The global hierarchy of countries
- Main centres of population, language and religions
- Geo-economic, political, social, cultural and environmental change

Trade Groupings

- Main trading blocs e.g. EU, NAFTA, MERCOSUR etc

The European Union

- Origins
- Objectives
- The future

The UK Balance of Payments

- Structure of balance of payments
- Current balances of trade
- UK's main markets

The Internet

- Development of the Internet
- Functions of the Internet

DAY 4: International Transport and Documentation

The export order process:

- Administration and communication
- Role of third parties; carriers, forwarders, Customs, banks, insurance companies, Chambers of Commerce and government departments,
- Incoterms and price calculation

Methods of international transport

- Use of freight forwarders
- Selection of transport mode
- Basic freight costing

Shipping documentation

- Bills of lading; Air waybills
- CMR and CIM notes

Customs procedures

- Basic Customs export and import clearance procedures to/from EU and non-EU destinations
- Export invoices; Certificate of Origin, EUR1
- Import controls

Cargo and Credit Insurance

- Specific and open policies
- Basic risks covered
- Short term comprehensive credit insurance

Getting paid

- Open account
- Documentary collections
- Documentary letters of credit

INTERNATIONAL CONFLICT OF LAWS & DISPUTE RESOLUTION

2 day course to give delegates an overview of the principles & rules involved in how to resolve a dispute in an international contract, including conflict avoidance, the law governing the contract, jurisdiction, arbitration, foreign proceedings and enforcement. In addition, delegates will gain an understanding of some of the key causes of international contract dispute and some of the key techniques and best practice to minimise contractual conflict.

Day 1:

Causes of Disputes:

- Types of Contracts
- Obligations & Liabilities
- Misunderstandings
- Changes in Circumstances
- Dispute Management
- Business Impact

Conflict Avoidance:

- Best Practice
- Standard Terms
- Choice of Law clause

- Litigation
- Alternative Dispute Resolution
- Arbitration, Mediation, Expert Determination
- Liquidated Damages clauses

Law of the Contract:

- English Law & Foreign Law
- Proper Law of the Contract
- Express or Implied
- Close & Real Connection
- Place of Performance

- The Rome Convention 1990

Day 2:

Jurisdiction:

- English/UK Courts
- European Union
- Foreign Proceedings

Remedies:

- Damages assessment
- Bonds & Rewards
- Injunctions
- Specific Performance
- Freezing/Mareva Injunction

Enforcement:

- UK/EU Judgements
- Foreign Judgements

- Case Studies
- Assessment

- Enforcement of Judgements & Awards

Litigation Process:

- Complaint & Response
- Preparation
- Duration
- Evidence
- Award & Enforcement

Arbitration Process:

- Arbitrator appointment
- Arbitrator's Powers
- Award & Enforcement

INTERNATIONAL COMMERCIAL TERMS: INCOTERMS 2000

1 day course designed to give delegates an overview of the delivery terms known as Incoterms 2000 that can form part of an international Contract of Sale. This course will enable delegates to fully understand the obligations and liabilities that arise from each Incoterm for both seller and buyer. Delegates will be given an overview of the specific cost liabilities for each term, when title to the goods is transferred and who bears the risk of loss in the event of damage to the goods. This seminar also covers the relationship between risk, possession and ownership of goods, and how to minimise risk of loss through insurance and retention of title.

Contract Terms:

- The International Contract of Sale
- Terms & Conditions
- Delivery Terms

- Cost
- Risk
- Insurance

Purpose & Scope of Incoterms

- 2000 Revision

Retention of Title:

- Passing of Title
- Risk & Ownership
- Retention of Title Clauses
- Transferable Documents

Incoterms 2000:

- 13 Incoterms
- Groups E, F, C & D
- 4 Groups of Incoterms:
 - E Departure Terms
 - F Main Carriage Unpaid
 - C Main Carriage Paid
 - D Arrival Terms
- Modes of Transport

Insurance:

- Contracts of Indemnity
- Insurance Obligations
- Insurance Policies & Certificates
- Institute Cargo Clauses A, B & C
- Risks Covered
- Exclusion Clauses
- Insurance Claims

Seller & Buyer Obligations:

- Delivery

INTERNATIONAL CONTRACTS: THE LEGAL ENVIRONMENT

Four day course designed to give delegates an overview of the legal principles that can impact on an international contract. Businesses need to be aware of the contractual liabilities and obligations that arise out of a contract of sale, purchase or agency agreement, and how risk and financial loss can be minimised. Specific reference is made to the formation of legally binding contracts, how to negotiate contracts that minimise risk, the rights and obligations that arise out of a contract, conflict avoidance through best practice and standard terms, contract management, remedies and alternative dispute resolutions.

Day 1:

Pre-Contract:

- Market Selection & Research
- Market Entry Planning
- Customer Selection
- Public & Private Contracts
- Tenders & Procurement
- Contract Negotiation
- Features of a Contract
- Standard Agreements
- Terms & Conditions
- Contract Signing

Minimising Contractual Risk:

- Contract Best Practice
- Risk Analysis & Contract Review
- Trade Finance Options
- Credit Insurance
- Foreign Exchange
- Tenders, Bonds, Indemnities & Guarantees

Contract of Sale:

- Specific & Unascertained Goods
- Obligations & Liabilities
- Express & Implied Terms
- Sale of Goods & Services
- Seller's Right to Sell
- Correspondence with Description
- Sale by Sample
- Satisfactory Quality
- Fitness for Purpose

Day 2:**Retention of Title:**

- Specific & Unascertained Goods
- Reservation of Title Clauses
- Documents retaining Title

Delivery & Passing of Risk:

- Transfer of Risk
- Points of Delivery
- Incoterms 2000
- 13 Incoterms
- Seller's & Buyer's obligations
- Insurance Policies
- Price Implications

Intellectual Property Protection:

- Types of Intellectual Property
- National & International Regulation
- Contractual Protection
- Enforcement
- IP Protection Strategies

Rights of the Unpaid Seller:

- Action for Price
- Lien & Right of Retention
- Stoppage in Transit
- Right of Resale

Buyer's Remedies:

- Acceptance
- Rejection
- Inspection
- Action for Money Paid

Day 3:**Discharging Contracts:**

- Performance
- Contract Variation
- Force Majeure & Frustrated Contracts

- Contractual Breach

European Legislation:

- EU Standard Contracts
- UK & European Competition Law
- Restrictive agreements
- Monopolies & dominant position

Agency Agreements:

- Law of Agency
- Types of Agency
- Rights & Duties of Principal and Agent
- European Agents Directive

Distributor Agreements:

- Contracts
- Standard Terms

Remedies & Dispute Resolution:

- Exclusion & Limitation of Liability
- Contractual Remedies
- Damages
- Injunctions
- Specific Performance
- Litigation & Jurisdiction
- Choice of Law
- Alternative Dispute Resolution

Day 4:

Contract Performance:

- Contract Review
- Managing Contractors
- Documenting Progress
- Conflict Mitigation
- Contract Enforcement

Documentation:

- Inspections & Certification
- Commercial Invoicing
- Transport Documentation
- Market Specific Documentation
- Finance Documents
- Letters of Credit
- Bills of Exchange
- Insurance Certificates
- Certificates of Origin
- Customs Documentation

Case Studies
Assessment
