

UNIVERSITY OF LONDON

501 001A to 060A

**POSTGRADUATE CERTIFICATE IN LAWS**  
**POSTGRADUATE DIPLOMA IN LAWS**  
**LLM EXAMINATION**  
for External Students

**Section A Questions for ALL SYLLABUSES**

Tuesday, 21 October 2008

**EXAMINATIONS WILL COMMENCE AT 10.00am**

Timetable for Section A exams

<b>First section A exam</b>	<b>10.00 to 10.50</b>
<b>Second section A exam</b>	<b>11.00 to 11.50</b>
<b>Third section A exam</b>	<b>12.00 to 12.50</b>
<b>Fourth section A exam</b>	<b>1.00 to 1.50</b>

For each Section A examination, candidates will have five minutes during which they may read the paper and make rough notes **ONLY** in their answer book. They will then have the remaining forty five minutes in which to answer the paper.  
Papers may be answered in any order.

**Scripts will be collected after each section A examination has finished**

**IMPORTANT**

**PLEASE ANSWER EACH 50 MINUTE EXAMINATION IN A SEPARATE ANSWER BOOK. THE COMPLETED ANSWER BOOK MUST BE HANDED IN TO THE INVIGILATOR/SUPERVISOR AT THE END OF EACH EXAMINATION.**

Candidates should answer all parts of a question unless otherwise stated.

**See over for Index of papers**

Please note papers **005** and **047** are not included in this booklet.

PLEASE TURN OVER

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**POSTGRADUATE CERTIFICATE IN LAWS**  
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**Applicable laws and procedures in international commercial arbitration**

**Section A: Applicable law issues in arbitration**

Candidates should answer **ONE** of the following **TWO** questions.

1. Discuss by reference to national laws and arbitration rules the methods of direct and indirect determination of the law applicable to the merits of a dispute. Which one of the above two methods do you consider more appropriate for the purposes of international arbitration and why?
  
2. (a) What are the different approaches taken by international tribunals to issues relating to proof and interpretation of the substantive applicable law, in the event that a tribunal is not familiar with this law?  
  
(b) Are arbitrators under an obligation to apply European (EC) competition law when an arbitration takes place in a Member State of the European Community, even if the parties have agreed that the national law of a non-Member State will apply to the arbitration?

END OF PAPER