

**UNIVERSITY OF SWAZILAND**

**DEPARTMENT OF LAW**

**FINAL EXAMINATION PAPER, 2009 (SUPPLEMENTARY)**

**TITLE OF PAPER : INTERNATIONAL TRADE AND INVESTMENT**

**COURSE CODE : L508**

**TIME ALLOWED : THREE (3) HOURS**

**INSTRUCTIONS : ANSWER FOUR (4) QUESTIONS**  
**ALL QUESTIONS CARRY EQUAL MARKS**

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN  
GRANTED BY THE INVIGILATOR.**

### **QUESTION ONE**

Discuss fully the two elements of the non-discrimination principle in international trade law, pointing out the differences between the two.

(25 Marks)

### **QUESTION TWO**

Analysts have suggested that nations have become powerless in the face of giant corporations, whose ability to move capital freely across national boundaries has made it all but impossible to control them. Critically examine this statement.

(25 Marks)

### **QUESTION THREE**

Timothy McClain is a manufacturer of widgets in country X. Mr. McClain sells his product in the country Y. He sells these widgets at R50 per box. It costs him R70 to manufacture a box of widgets including the cost of transporting them to country Y.

Would a manufacturer from country Y of widgets have a case against Mr. McClain, and if so, what would the nature of the case be?

(25 marks)

### **QUESTION FOUR**

Trade and investment are seen as crucial factors for attaining development by most countries including Swaziland. To obtain its developmental goals through trade and investment, the Government of Swaziland has set up institutions to aid its efforts to attract and facilitate investment in the Kingdom. Critically discuss two of these institutions and their role in this regard.

(25 Marks)

## **QUESTION FIVE**

*“Traditional trade theory assumes .....that trade gains accrue to nationals in the trading countries”*. Discuss fully.

(25 Marks)