

UNIVERSITY OF SWAZILAND

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DEPARTMENT OF LAW

FINAL EXAMINATION PAPER, 2011 (SUPPLEMENTARY)

TITLE OF PAPER : INTERNATIONAL TRADE AND INVESTMENT LAW

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

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Describe the relationship between the SPS Agreement and the TBT Agreement and whether it is possible that both agreements apply to one and the same measure.

(25 Marks)

QUESTION TWO

“Countervailing duties and anti-dumping duties are remedies for unfair trade whereas safeguard measures are not.”

Critically evaluate the accuracy of this statement.

(25 Marks)

QUESTION THREE

Discuss the coverage of copyright under the TRIPs agreement and whether this agreement has any relation to the Berne Convention.

(25 Marks)

QUESTION FOUR

What requirements must a “free trade area” within the meaning of article XXIV meet, and how does it differ from a “customs union”?

(25 Marks)

QUESTION FIVE

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Critically analyse Adam Smith's "division of labour" theory.

(25 Marks)