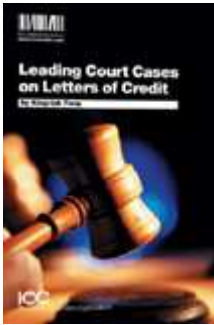


■ New Publications



ICC Publication No. 658
Format 160x240 mm,
approx 180 pages

Leading Court Cases on Letters of Credit

King-tak Fung

More than 15 percent of trade (over \$1 trillion a year) is financed using letters of credit.

Now universally used, the UCP, as these ICC rules for letter of credit practice are called, are the most successful private rules for commerce ever developed. But rules require interpretation, and courts worldwide have interpreted how the UCP should be applied in daily practice. Here, in a single volume, the most important court cases interpreting the UCP have been collected, analyzed and explained.

Getting to the essentials

Written by King Tak FUNG, a prominent Hong Kong lawyer, *Leading Court Cases on Letter of Credit* gives the facts and analyzes the reasoning behind the cases fundamental to letter of credit law. For each case, this important book lays out -

- * a summary of the facts of each case in easy-to-understand diagrams;
- * the key issues presented; and
- * an analysis of what each court decision means for letter of credit practice.

By focusing on the essentials, *Leading Court Cases* distills the court's legal reasoning into a highly readable, user-friendly reference tool.

More than 40 cases are explained with skill and insight.

Contents:

Leading Court Cases interprets cases from several jurisdictions concerning a range of issues, including:

- * Confirmation : *Pasir Gudang Edible Oils Sdn Bhd v The Bank of New York*, 1999, (USA)
 - * Availability of credit: *Bank of China v Agricultural Bank of China*, 2000 (China)
 - * Fraud and injunctions: *Mees Pierson N.V. v Bay Pacific (S) Pte Ltd*, 2000 (Singapore)
 - * Document examination and rejection: *Credit Industrial et Commercial v China Merchant Bank*, 2002 (England)
 - * Law and jurisdiction: *Rabobank v Bank of China*, 2004 (Hong Kong)
- Other cases analyzed concern credits versus contracts, standby letters of credit and marine bills of lading.

ICC Model Selective Distributorship Contract

For the marketing of products through a network of qualified retailers



ICC Publication No. 657
Format 297x210 mm,
74 pages

This new title in the series of ICC model contracts, prepared by the ICC Commission on Commercial Law and Practice (CLP), covers agreements which allow the exporter to better control the way his products are marketed by creating a direct link between the exporter and the retailers who sell his products to the end consumer.

What Selective distribution means?

In some cases, the exporter may wish to establish a direct link with the retailers in order to control the way in which his products are marketed and provide a certain level of sales service to the consumer.

- * market technically sophisticated products only through retailers who can give competent technical advice;
- * ensure that products with an exclusive image are sold only in shops having certain high level characteristics (location, fittings, etc.).

The ICC Model Selective Distributorship Contract is one means of ensuring that products are marketed through a network of qualified resellers.

Of course the above can be warranted only if the products are sold by retailers who fulfil the selection criteria. Consequently, selective distribution necessarily implies a closed network, obtained by preventing all its members, including the producer, from selling to non-authorized resellers.

The ICC Model Selective Distributorship Contract provides a sound legal basis upon which parties can quickly establish an even-handed agreement acceptable to both sides. It saves resources for companies and their legal advisers.

Contents:

- * Terms of the Contract
- * Scope of the Contract
- * Selection Criteria
- * Distributor's minimum purchase obligation
- * Supplier's general conditions of sale
- * After-sale service
- * Stocks

Two useful appendices have been included in the contract:

- * EC Regulation 2790/1999 of 22 December 1999
- * Unidroit Principles of International Commercial Contracts 2004.



Arbitration and Oral Evidence

Clarifying the ambiguities surrounding the oral presentation of evidence

The issues

The evidential relationship between contemporary documentation, written testimony and oral testimony is a permanent challenge to all arbitrators and counsel in an international arbitration. However experienced the factual or expert witness may be, an oral witness

ICC Publication No. 689
Format 160x250 mm,
approx 190 pages

HK\$740.00

has to be prepared for his testimony and a witness statement has to be written, both with legal help.

The issues divide counsel and arbitrators, and there is a need for a better understanding of what is right and wrong in the interaction between written and oral evidence.

Arbitration and Oral Evidence lays out the issues in a transparent and easy-to-understand way.

The Authors

Written by expert arbitrators and practitioners, some of whom are affiliated with the ICC's Court of Arbitration, **Arbitration and Oral Evidence**, approaches the problems of oral evidence from several points of view, among them:

- * Oral evidence vs documentary evidence
- * Witness statements
- * Benefiting from oral testimony of expert witnesses
- * Counsel-witness relations

Taken together, these observations provide a comprehensive overview of the problems and possible solutions.



ICC Publication No. 691
approx 540 pages

HK\$1,890.00

International Commercial Transactions - Third Edition

by Jan Ramberg

The updated third edition of **International Commercial Transactions**, considered a leading title in its field, contains the 2004 UNIDROIT Principles of international commercial contracts and the 2003 Principles of European Contract Law, the 2003 ICC Force Majeure and Hardship Clause as well as the 2004 ICC Models for commercial agency and distributorship. Also, account has been taken of recent changes in transport law.

Overview

The purpose of **International Commercial Transactions** is to provide first hand and up to date knowledge of the main aspects of international commercial transactions with the 1980 convention on contracts for international sale of goods (CISG) in focus, and to explain the interrelation between such contracts and the ancillary contracts of transport, insurance and financing.

The Author

Jan Ramberg has been intensely engaged in the work of several ICC Commissions during more than 30 years and has held a number of important positions in other international organisations, such as the Comité Maritime International (CMI), where he is Honorary Vice President, and is Honorary Member of FIATA.

He was chairman of the Working Group preparing the 1990 and 2000 revisions of INCOTERMS and is presently Vice President of the ICC Commission for Commercial Law and Practice. He is former Dean and Professor emeritus of the Law Faculty of the University of Stockholm and served as the first Rector of the Riga Graduate School of Law where he has been nominated Professor honoris

causa. He is the author of several law commentaries, books for students and numerous articles in law journals worldwide.

Jan Ramberg is also the author of the worldwide famous **ICC Guide to Incoterms 2000**.



ICC Publication No. 661
160 x 250 mm, 592 pages

HK\$2,130.00

Bank Guarantees in International Trade

It is an anomaly of international trade that a recognizable law of bank guarantees - in which the bank guarantee is independent from the principal contact - has developed in the absence of generally adopted international conventions. A significant degree of uniform law across jurisdictional boundaries has spontaneously emerged, and national law in many countries has of its own accord developed along uniform lines.

Bank Guarantees in International Trade is the first book to "codify" this international law which, although not embodied in any one place, has nevertheless been clearly established in practice since about 1980.

Law and Practice

Bertrams shows that, in all essentials, the American standby letter of credit and the European independent guarantee developed simultaneously and represent, conceptually and legally, the same device. However, developments throughout the 1980s and 1990s and into the new century - particularly certain initiatives of the International Chamber of Commerce and the American Institute of International Banking Law and Practice, along with a steady flow of case law and Practice along with a steady flow of case law and a proliferation of legal writing - continue to affect practice in the field. Bertrams examines all this material in detail in this incomparable book, now in an updated third edition.

In-depth Analysis

Bertrams uses case law and legal writing from five European Countries - The Netherlands, Germany, France, Belgium, and England - to build an analysis of how the practical applications of bank guarantees has established a pattern of law. He also takes into account U.S. writing on the subject, as well as relevant cases from Switzerland, Italy, and Austria.

Bank Guarantees in International Trade offers practitioners in international trade law the most complete analysis of banking law in the field. In its wealth of practical detail, it is unlikely to be surpassed.

Contents:

- * Overview
- * Types of Guarantee
- * Conditions of Payment (Payment Mechanism)
- * Legal Nature
- * Parties to the Underlying Relationship
- * Role and Position of the Bank Issuing Guarantees as a Financial Service

- * Drafting and Clauses
- * Relationship between Account Party - First Instructing Bank
-Second Issuing Bank Introduction and Structure
- * Relationship between Account Party - Bank (Direct
Guarantee
- * Relationship between Account Party - First Instructing Bank
-Second Issuing Bank (Indirect Guarantee). Counter-
Guarantee
- * Other Aspects of the Guarantee
- * The Demand for Payment
- * The Concept of Fraud
- * Fraud and the Position of the Bank
- * Fraud and Restraining Orders
- * Conservatory Attachment and Freezing Orders
- * Jurisdiction and Applicable law
- * Bank Guarantees and Construction Contracts



ICC Publication No. 654
160 x 240 mm, 184 pages

HK\$690.00

Corporate Governance Worldwide

Guler Manisali Darman

Major corporate scandals in the early years of the 21st century have placed corporate governance at the front and centre of corporate and government priorities.

Today, good corporate governance - the rules and practices that govern the relationship between the managers and shareholders of corporations, as well as stakeholders (employees, pensioners and local communities) - has become a must in the modern business environment.

The publication of Corporate Governance Worldwide provides an update of breaking developments in the field and recommendations for how business should react to new governance requirements generated by governments and the

marketplace.

A Comprehensive Guide

Corporate Governance Worldwide takes you in logical steps through all major developments in the field, including :

- * the driving forces behind corporate governance,
- * new corporate governance developments in the U.S., the European Union, Asia and Latin America,
- * the different requirements of SMEs, family owned enterprises and large multinationals,
- * the responsibilities of boards of directors, CEOs and CFOs, corporate responsibility and what it entails, and
- * Strategic thinking on governance for the future.

Case Studies

More than just a textbook, Corporate Governance Worldwide uses concrete case studies to illustrate its points, including:

- * The Enron and Parmalat scandals,
- * The Vodaphone / Mannesmann merger,
- * The board structures of companies such as Ford and Siemens,
- * The accounting failures at companies such as Ahold in the Netherlands and Yanguangxia in China.

Contents:

- * Corporate Governance Around the Globe
- * Driving Forces Behind Corporate Governance
- * Board of Directors
- * Transparency and Disclosure in Financial Reporting
- * Shareholders' Rights, Institutional Investors and Global Financial Markets
- * Corporate Responsibility
- * Future Prospects for Corporate Governance

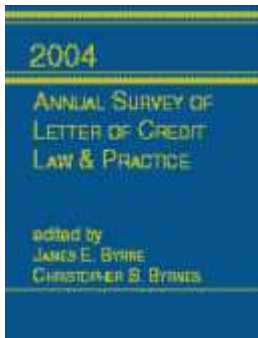
Who should read this book?

Drawing on a wide range of sources - from companies, regulators and national laws -- Corporate Governance Worldwide is of interest to company managers, compliance officers, accountants, lawyers and academics: in short, everyone with an interest in good governance and how to achieve it.

The author

Guler Manisali Darman studied Management at Middle East Technical University, Turkey and has an MBA in Finance. She served as the Executive Director of ICC Turkey for eight years. She is one of the founding members of the Junior Chamber

International (JCI) Turkey and is a member of the ICC commission on Financial Services and Insurance. She is currently Financial Coordinator of Bilkent Group composed of sixty-seven companies in various fields in Turkey, and has written numerous articles on financial services and corporate governance.



ICC Publication No. 957
28.5 x 22cm

HK\$1,700.00

2004 Annual Survey of Letter of Credit Law & Practice

An indispensable tool for letter of credit specialists

Available each year since 1992, the Annual Survey of Letter of Credit Law & Practice has consistently proven an indispensable tool for leading letter of credit specialists. Containing input from top experts around the world, this indispensable reference book contains ALL relevant letter of credit articles, cases and rules for the year 2004.

The 2004 volume includes all the year's key letter of credit articles, ALL major cases summarized (including both U.S. and non-U.S.), full text of pivotal LC cases, significant briefs, and other major LC works.

Handsomely gathered under one hard-bound cover, all the year's critical LC information contained in the Annual Survey book is completely indexed for ease of reference.

Contents:

Highlights include:

* Comprehensive Overview Article of year 2003 LC Law &

Practice, plus 16 other articles

- * ICC's electronic publishing arm, DC-PRO's LC Market Intelligence Survey, plus a report on BASIL II initiatives
- * In-depth analysis of Avery Dennison LC case, plus 64 summaries of other LC cases from Australia, Canada, China, England, Hong Kong, Korea, Singapore and the U.S.
- * Full text of Industrial Bank of Korea, plus 4 other full texts of the year's top cases
- * Cumulative index, from "Acceptance" to "Wrongful Honor" and all terms in between.



ICC Publication No. 656
210 x 297 mm

HK\$770.00

ICC Model Mergers & Acquisitions Contract 1 - Share Purchase Agreement

ICC Commission on Commercial Law & Practice

First in a series of models dealing with the transfer of a company or business.

This new model contract is the first in a series of ICC international Merger & Acquisition (M&A) agreements. The notion of M & A agreements, regards, broadly speaking, the transfer of a company or a business an covers a variety of contracts.

This first model is a Share Purchase Agreement (SPA) in its simplest form, i.e. the acquisition of the entire issued share capital of one company. It is intended to assist parties and lawyers who are not specialized in M&A contracts to draft a simple contract covering the most common issues involved.

This means that the model may not be appropriate for complex transactions nor for acquisitions of public companies.

The SPA contract takes account of all these specifics and contains enough flexibility for the parties to work out special situations for themselves.

Contents:

This model contract is broken down into several parts including:

- * Pre-closing and post-closing undertakings
 - * Price and closing
 - * Warranties, breach of warranties
 - * Indemnification, indemnification procedure and limitation of liability
 - * Restrictive covenants
 - * Confidentiality / announcement
- Many issue (e.g. conditions that must be met before closing) are covered in the useful annexes and schedules.



ICC Publication No. 665
16 x 24 cm

HK\$650.00

Collected DOCDEX Decisions 1997-2003

[33 Decisions by ICC experts resolving real life disputes about documentary credits](#)

First introduced in 1997, DOCDEX is a rapid, cost-effective dispute resolution system intended to resolve disputes involving ICC rules on documentary credits (UCP 500).

Expanded in 2002 to cover the ICC Uniform Rules for Collections (URC) and the Uniform Rules for Demand Guarantees (URDG), DOCDEX has been used by practitioners worldwide who need quick decisions on outstanding conflicts.

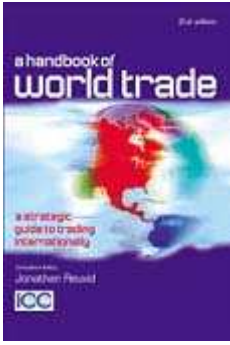
Contents:

How it works

In the DOCDEX process, the parties (or one of them) present their arguments on a dispute, plus all documents relating to it, to the ICC International Center for expertise. The Center then appoints a panel of three experts to decide the issues in the case. The process normally takes 30-60 days, with most cases resolved within 30 days. As a result, lengthy and expensive court cases can often be avoided.

Now, for the first time, all of the DOCDEX decisions taken over a seven-year period have been collected in a single volume.

This indexed volume of DOCDEX decisions gives the reader an insight into the thinking of ICC experts who must judge difficult cases involving ICC rules. As such, it's an invaluable companion to the rules themselves.



ICC Publication No. 955
17 x 24 cm

HK\$2,310.00

A Handbook of World Trade (2nd edition)

A strategic Guide to Trade Internationally

A strategic guide to trading internationally for business practitioners and advisers and an authoritative reference source for anyone needing to understand the framework and mechanics of world trade.

Provides an invaluable explanation of how world trade is organized; practical strategies for engagement in foreign trade; clear and authoritative "best practice" advice on the management of trade finance; tables summarizing patterns of world trade; and a global directory of the principal trade agencies, trade finance banks, shipping agencies, trade research and information sources.

Of prime interest to corporate strategists, CEOs, financial directors, senior executives in exports and imports within corporate organizations and large companies, postgraduate business students and academics.



ICC Publication No. 956

HK\$530.00

The International Anti-Counterfeiting Directory 2004

It is often said that "if you can make it, they can fake it" and there can be little doubt that counterfeiting is growing at an alarming rate throughout the world.

the International Anti-Counterfeiting Directory 2004, compiled by the ICC counterfeiting Intelligence Bureau, provides a vital one stop resource containing up to date information on counterfeiting, useful contact addresses and profiles on the leading global anti-counterfeiting networks comprising lawfirms, technology companies and investigators.

Contents:

Counterfeiting Perspectives

- The Fight Against Fakes
- Holograms Explained
- Counterfeiting in China

SECTION 1 COUNTERFORCE

Law firms specialising in intellectual property and anti-counterfeiting work listed alphabetically by country.

SECTION 2 COUNTERTECH

Anti-counterfeiting technology manufacturers listed alphabetically by country.

SECTION 3 COUNTERSEARCH

Specialist anti-counterfeiting investigators listed alphabetically by country.

SECTION 4 GENERAL INFORMATION

Useful contacts.

Forthcoming Anti-Counterfeiting conferences and Workshops.

Charts and Statistics on Counterfeiting.

Counterfeiting Milestones.

Museums and Exhibitions on Counterfeiting.

Devising an effective Anti-Counterfeiting Strategy.



ICC Publication No. 688
21 x 29.5 cm

HK\$640.00

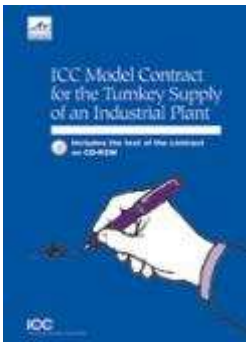
Complex Arbitrations

Business transactions today are rarely simple. Consequently, when disputes arise, they can be highly complex and far reaching. This book examines the particular challenges such disputes raise for international arbitration which unlike litigation, relies fundamentally on the principle of party autonomy.

Contents:

Complex Arbitrations comprises a collection of articles by renowned arbitration specialists. They each deal with a specific procedural issue arising from cases involving multiple parties or contracts, or concerning matters already determined or ongoing.

Res judicata, issue estoppel, lis alibi pendens, joinder of parties and consolidation proceedings are amongst the issues examined in relation to arbitration and in light of recent case law. The anthology also includes an account of the practice of the ICC International Court of Arbitration when applying the ICC Rules of Arbitration in multiparty and multi-contract cases.



ICC Publication No. 653
29.7 x 21 cm

HK\$640.00

ICC Model Contract for the Turnkey Supply of an Industrial Plant

This new title in the ICC series of model contracts covers a particular category of turnkey contracts, one that is limited to the plant or production line and does not extend to items which (surround) the plant, such as buildings, supply of energy, etc.

Contents:

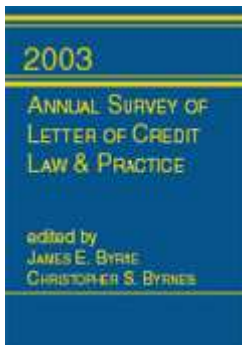
Turnkey contracts take a range of forms and at present no single model contract covers them all. The Model Contract for the Turnkey Supply of an Industrial Plant has special characteristics:

- The supplier's main obligation is to supply the equipment and assist the purchaser during erection and start up;
- The supplier performs its obligations within facilities that are under the purchaser's control;
- This model contract is generally governed by the rules on sales contracts

This ICC model contract takes account of all of these specifics and contains enough flexibility for the parties to work out special situations for themselves.

2003 Annual Survey of Letter of Credit Law & Practice

Available each year since 1992, the Annual Survey of Letter of Credit Law & Practice has consistently proven an indispensable tool for leading letter of credit specialists. The latest 2003 volume includes all the year's key articles, letter of credit case summaries (U.S. and non-U.S.), full text of pivotal LC cases, significant briefs, and other major LC works.



ICC Publication No. 954
28.5 x 22 cm, 411 pages

HK\$1,700.00

Gathered under one hard-bound cover, all the year's critical LC information contained in the Annual Survey book is completely indexed for ease of reference.

Highlights include:

- Comprehensive Overview Article of 2002 LC Law & Practice, plus 11 other articles
- ICC Education Document on Waiver and Notice, plus 3 other LC practice statements
- In-depth analysis of China Merchants LC case, plus 73 summaries of other LC cases from Australia, Canada, England, Hong Kong, Korea, Singapore and the U.S.
- Full text of Voest Alpine LC case, plus 5 other full texts of the year's top cases
- Cumulative index, from "Acceptance" to "Wrongful Honor" and all terms in between.



ICC Publication No. 651
160 x 240 mm, 192 pages

HK\$640.00

Arbitration - Money Laundering, Corruption and Fraud

by the ICC Institute of World Business Law

The International Chamber of Commerce's world-renowned Institute of World Business Law, where legal and business experts convene, has devoted an entire publication to money laundering and other forms of corruption: Arbitration - Money Laundering, Corruption and Fraud. This important publication focuses both on the nature of the problem and the lawyer / arbitrator's response to it.

Answers to key questions

This useful text contains the proceedings of a conference on arbitration and money laundering organized by the ICC Institute of World Business Law.

It brings the reader the expertise of lawyers, academicians and chartered accountants from a range of countries and addresses the key questions arbitrators and legal practitioners want answered:

- Is the arbitrator's role in a case of fraud different from his role in other disputes?
- Is the arbitrator bound to report a case of money laundering or fraud if he has a suspicion that something is wrong?
- Is counsel to report someone coming to him for advice?

A practical text

The publication gives a comprehensive overview of the issues. It begins with a look at the nature of the problems lawyers and other professionals face and the solutions they adopt in their daily business. The second part of the book concentrates on the problems raised for arbitrators by money laundering, fraud and bribery. The book ends with a detailed Q&A discussion section.

Collection of ICC Arbitral Awards, Vol. IV (1996-2000)

The Collection of ICC Arbitral Awards 1996-2000 contains extracts of cases handled by the ICC Court of Arbitration, one of the world's most respected arbitral institutions. This most recent collection supplements three previous and successful volumes containing



ICC Publication No. 647
160 x 250 mm

HK\$2,670.00

awards from the periods 1974-1985, 1986-1990 and 1991-1995. Co-published with Kluwer Law International.

This collection is a practical reference tool, containing three types of useful indexes incorporating information from all three volumes:

- a consolidated analytical table, in both English and French, contains extensive cross - references based on the terminology used in awards and case notes;
- a chronological index lists the awards and contains references to legal literature;
- a key word index, also provided in both languages, allows the reader to locate the material of interest quickly and easily; and
- a cross-referenced index of cases referring to the Journal du droit international, the Yearbook Commercial Arbitration and to the International Construction Law Review for each of the awards published in the Collection. In addition to providing a wealth of information in a highly accessible manner, this book includes case notes and expert commentaries on the awards.



ICC Publication No. 652
160 x 240 mm

HK\$610.00

Fighting Corruption - A Corporate Practices Manual

[A practical guide for corporate managers](#)

The new demands for better corporate governance pose a major challenge to corporate managers. Faced with a bewildering maze of new rules and regulations - on accounting, money laundering, conflicts of corporate interest - managers need a no-nonsense guide to cut through the fog of bureaucratic requirements. Fighting Corruption, written by businessmen for businessmen, is such a tool.

[A reference book for our times](#)

Fighting corruption, once at the periphery of corporate concerns, has taken on a new urgency for companies due to events of the last several years:

- The implementation of the OECD Convention on Combating Bribery of Foreign Public Officials, with 34 countries having ratified the Convention and passed implementing legislation to enforce it;
- Recent corporate scandals in the US and elsewhere that have sharply increased public concern about corporate governance, accounting and auditing;
- September 11 and the ensuing campaign against terrorism that have resulted in much intensified anti-money laundering programmes, as well as greater concern about Customs regulations.

The pace of new regulation requires that corporate managers have a practical guide to help them respond to the realities of doing business in the modern age. Fighting Corruption, produced by ICC, offers the tools to do so.

Contents:

Answering your questions

Fighting Corruption answers a host of questions for managers:

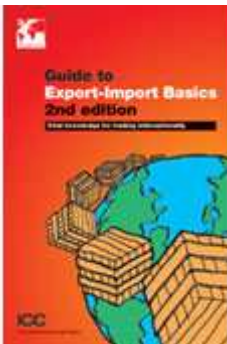
- How does a company develop a clear and enforceable code of conduct?
- What steps should a company take to ensure that it is hiring

qualified and reputable agents?

- How does one develop an accounting policy with explicit prohibitions against off-the-books or false entries?
- How does a company assess its vulnerability to money laundering and develop a know-your-customer policy?

This vital text, first published in 1999 as *Fighting Bribery*, has been fully revised and updated with four new chapters - on extortion, whistleblowers, customs and small and medium-sized enterprises.

Written by corporate officers who have direct experience in the fight against various kinds of corruption, *Fighting Corruption* now offers managers guidance on a full spectrum of issues concerning business ethics.



ICC Publication No. 641

HK\$680.00

Guide to Export Import Basics

2nd edition

This essential handbook covers the entire process of international trade - from how to prepare the sales contract to how to arrange for international transport to questions of agency, distributorship and franchising - all in a single volume.

Written by a team of experts from the International Chamber of Commerce (ICC), *Export-Import Basics* is part of a trilogy of ICC trade tools for making trade easy - The other two -- *Key-words in International Trade* and *A to Z in International trade* - complete the package.

Contents:

This 2nd edition of *Export-Import Basics* fills you in on important new developments in international trade that have taken place since the 1st edition:

- Incoterms 2000
- ISP98, new rules on standby letters of credit
- The eUCP, the electronic supplement to ICC rules on documentary credits
- Changes to the ICC Model Distributorship Contract

A completely new chapter on electronic trade brings you up to date on how the world of trade is changing.



ICC Publication No. 953

16 x 24cm

Private Commercial Bribery

A Comparison of National and Supranational Legal Structures

A comparative study of private-sector anti-bribery laws in 13 OECD countries, published jointly by the International Chamber of Commerce and Germany's Max Planck Institute for Foreign and International Criminal Law.

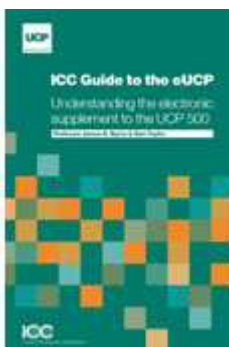
Besides analyzing existing international instruments, the study covers the law in the Czech Republic, England and Wales, France, Germany, Italy, Japan, Korea, the Netherlands, Poland, Spain, Sweden, Switzerland, and the United States.

HK\$1,230.00

The project focuses on the criminal, civil and administrative

measures against the bribery of public officials. The criminalization of private-sector bribery, especially if international aspects are present, is a recent development; there is no unanimity about the policy goal (s) which private-sector bribery law should vindicate. Regarding the use of civil law and its remedies as a method of compensating for private-sector bribery, the reports reflect a spectrum of results suggesting that general principles of tort/fault law have not always been implemented or vindicated in this field. The study also inquires about practices to stem private-sector bribery present in regulatory measures and/or developed internally by business enterprises.

Private Commercial Bribery, is jointly edited by Thomas O. Rose, an American lawyer who led ICC's work on suppression of private sector bribery; Professor Gunter Heine, Director of the Institute for Criminal Law and Criminology at Berne University, Switzerland, and Dr Barara Huber, Senior Research Fell at the Max Planck Institute for Foreign and International Commercial Law.



ICC Publication No. 639
16 x 24 cm

HK\$880.00

ICC Guide to the eUCP

Professor James E. Byrne and Dan Taylor

Understanding the electronic supplement to UCP 500

The electronic supplement to UCP 500, ICC's universally used rules on letters of credit, came into force in April 2002. Termed eUCP, this supplement is expected to revolutionize the way documentary credits are used by permitting electronic or part-electronic presentations of documents.

As general rules of practice, the eUCP provide a framework of principles for dealing with the growing number of electronic documents - shipping records, customs clearance and banking documents - now being presented in letter of being presented in letter of credit transactions.

Contents:

The Guide offers more than a cogent explanation of the eUCP. It also contains:

- an Introduction that discusses key issues such as the eUCP and local law; the ways applicants, banks and beneficiaries can prepare to use the supplement; and how readers should approach the Guide itself;
- a comprehensive system of cross references that provide specific links to other provisions within the eUCP, as well as information on the relationship of the eUCP to the UCP, ISP, URDG, and other relevant rules and legal statutes;
- Appendices with excerpted texts of relevant statutes and treaties, such as the UN Model Law on Electronic Commerce and the UN Convention on Independent Guarantees and Standby Letters of Credit.
- Electronic documents represent the way of the future. Letter of credit practitioners cannot afford to miss out on this authoritative Guide on how to apply the eUCP to electronic presentations under UCP 500.

International Standard Banking Practice (ISBP)

for the examination of documents under documentary credits

The long-awaited practical complement to UCP 500



ICC Publication No. 645
24 x 13.5 cm

HK\$230.00

Approved by the ICC Banking Commission in October 2002, International Standard Banking Practice for the Examination of Documents under Documentary Credits (ISBP), is expected to revolutionize the way documents under letters of credit are examined.

This invaluable new text, the product of more than two years of work by the ICC Banking Commission, demonstrates how UCP 500 - the ICC's internationally used rules on documentary credits - work in day-to-day practice. As such, it is an essential complement to the UCP.

Figures show that 60%-70% of credits are rejected for discrepancies on first presentation. Apparent/ alleged discrepancies, personal opinions, different experiences amongst practitioners, different attitudes, subjective approaches, questions of interpretation - all of these result in wasted time, slowdowns in world trade and costly and unnecessary disputes. The new ISBP, by encouraging a uniformity of practice worldwide, is expected to cut these figures dramatically.

Contents:

Answering your questions

Though the ISBP does not amend UCP 500, it does provide answers to the key questions posed by documentary practitioners:

- What constitutes an "alteration" or "addition" to a document, when and how should these be authenticated?
- How should documents be signed, if this is not explicitly stated in the credit?
- How should one handle typing errors on documents regarding the name and address, different addresses of same company, etc.?
- Must trade terms, such as Incoterms, appear on the invoice?
- What is the "face" of a transport document and should a practitioner examine the reverse side to determine the name of carrier, description of the journey, etc. ?
- What is a full set of insurance documents, a copy vs. an original, endorsements, and the effective date?

In 200 explicit paragraphs based on Opinions issued by the ICC Banking Commission - and feedback from practitioners worldwide - the ISBP clears up the uncertainty surrounding interpretations of UCP 500.



ICC Publication No. 648
A4

HK\$1,370.00

Preventing Financial Instrument Fraud

The Money Launderer's Tool

By ICC Commercial Crime Services

Recent years have seen a significant rise in the use of many documents - both genuine and fabricated, but always alleged to be of high value - that criminals and others use to raise and launder money.

Cases in point

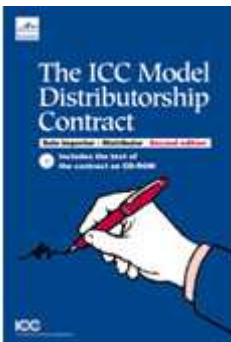
As well as providing a complete analysis of the financial instruments used, the book carefully dissects the flaws in a specimen Internet site that claims to offer outstanding (but false) investment opportunities. There are also a number of pertinent case studies that illustrate how criminals use documents to perpetrate a wide variety of very plausible scams, and how seriously the judiciary worldwide now

treats this issue.

Preventing Financial Instrument Fraud will provide an invaluable reference manual and training aid for those in financial services, professional and private investors, and law enforcement agencies.

Contents:

1. Introduction
Background of modern Financial Instrument Fraud.
2. FIF Model
Simplified explanation of how the fraud works, together with the processes and people involved.
3. The Fraudster's View
How the fraudster uses and manipulates the banking system to deceive investors and generate profit.
4. Specimen Documents
Examples of genuine and fictitious financial instruments, together with an explanation of the "red flag" terms to watch out for.
5. Case Studies
A selection of recent media reports that illustrate the myriad of different ways used by fraudsters to part victims from their money.
6. Hooking Victims
Example of a fraudulent Internet site using incorrect statements and bogus claims to promote a fictitious prime bank instrument scheme.
7. Resources & Contacts
Organizations that assist in the fight against Financial Instrument Fraud in the US, Canada, Europe, Australia and New Zealand.
8. Compiling Information



ICC Publication No. 646

21 x 29.7cm (A4)

HK\$640.00

ICC Model Distributorship Contract (sole importer-distributor)

[Second Edition with CD-ROM Available Now](#)

Distributorship contracts are one of the most frequently used means for organising the distribution of goods in a foreign country. Almost every company engaged in international trade has at least some agents abroad and so most exporters will at some stage be faced with drafting an international distributorship agreement.

The revised edition takes into account important changes since the publication of the first model, particularly concerning the EC antitrust rules on vertical restraints, and the need to harmonize with the ICC Short Form Model Contract, published in 2001.

Contents:

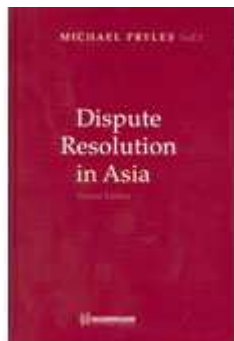
Introduction

Model form of International Sole Distributorship Contact

Annexes

1. Product and territory
2. Commission on direct sales
3. Products and suppliers represented by the distributor
4. Names of existing customers
5. Advertising, fairs and exhibitions
6. Conditions of sale - discounts
7. Guaranteed minimum target

8. Stock of products and spare parts
9. After sales service, repairs, warranty
10. Change of control, ownership and/or management in the Distributor (company)
11. Goodwill indemnity



ICC Publication No. 949
Hardback 16.5 x 24.5 cm

HK\$2,120.00

Dispute Resolution in Asia - 2nd edition

Michael Pryles

Second edition - Published by Kluwer Law International, distributed by ICC Publishing

Dispute Resolution in Asia was first published in 1998 and was one of the few titles to deal exclusively with the Asian region.

This second edition is not only an updated version of the first edition but is also an expanded work, chapters on India and Indonesia having been added.

The first chapter presents an overview of dispute resolution in Asia and examines the question whether there is an Asian style of dispute resolution. The remaining chapters focus on twelve particular countries. They are important trading countries or countries which are the recipients of substantial foreign investments. This second edition fills the need for increased information on dispute resolution in a region whose economic importance is still growing.

Contents:

- The examination of dispute resolution in 12 countries provides a much wider spectrum of Asian laws and approaches than is traditional in comparative studies.
- The work provides a broad coverage in terms of its subject matter:
 - the book is not confined to arbitration or litigation but examines arbitration, litigation and mediation,
 - contributions vary in style and content and thus reflect the diversity of legal systems and cultures in Asia
 - specialists focus on countries with which contributors have particular expertise or experience.
 - statistics are provided on arbitration centres in Asia.



ICC Publication No. 650

HK\$110.00

ICC Force Majeure Clause 2003 - ICC Hardship Clause 2003

The first revision since 1985.

Businesses typically want their contracts to succeed, making a good profit for a good product or services.

Events, however, frequently frustrate the best business intentions and a party may find itself in the position of having to default because of events beyond its reasonable control.

In the ICC Force Majeure Clause 2003 and in the ICC Hardship Clause 2003, the ICC seeks to provide international traders with ready-made, off the peg, model clauses which parties to international contracts may incorporate into their contracts.

The ICC Force Majeure Clause 2003 combines the predictability of listed force majeure events with a general force majeure formula which is intended to catch circumstances which fall outside the listed

events.

The ICC Hardship Clause 2003 balances businessmen's legitimate expectations of performance with the harsh reality that circumstances do change to make performance so hard that the contract simply must change.



ICC Publication No. 642
A4, 156 pages

HK\$760.00

The UNIDROIT Principles of International Commercial Contracts

A special Supplement of the ICC International Arbitration Bulletin

A body of rules intended for worldwide use, the UNIDROIT Principles of International Commercial Contracts have a particular appeal in international arbitration. They are increasingly applied to supplement or interpret national laws, give international endorsement to solutions based on domestic laws, or as the governing law of the contract. This unique collection of articles by leading trade law specialists analyses arbitral case law and appraises the UNIDROIT Principles in the context of international contract law and practices.

Contents:

The role of the Principles in international commercial arbitration:

1. a European perspective (Y. Derains)
 2. a US perspective (E.A. Farnsworth)
- The Principles as a means of interpreting and supplementing domestic law (F. Dessemontet) and international uniform law (M.J. Bonell)
 - The application of the Principles to state contracts (K.-H. Bockstiegel / J. Crawford & A. Sinclair)
 - The Principles as lex contractus with or without a choice-of-law clause (P. Lalive / J.D.M. Lew)
 - The Principles in relation to modern contract practice (M. Fontaine / H. Raeschke-Kessler)
 - The Principles in ICC arbitration practice (P. Mayer).

Specials



ICC Publication No. 500/2
24 x 13.5cm, 92 pages

HK\$250.00
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ICC Uniform Customs and Practice for Documentary Credits (UCP 500) + eUCP

New format includes eUCP and selected Opinions of the ICC Banking Commission

The UCP 500 are a practical and comprehensive set of 49 Rules that address the major issues in documentary credit usage. They also reflect the major legal decisions on documentary credits by the courts in the last ten years. The rules became effective on January 1, 1994.

This new format now includes a supplement to the UCP 500 for electronic presentation - the eUCP. The 12 Articles of the eUCP work in tandem with UCP 500 where electronic or part-electronic presentation of documents takes place, covering a range of issues.

Also included in this 92-page booklet is a selection of ICC Banking Commission Opinions and Decisions.

Contents:

ICC Uniform Customs and Practice for Documentary Credits (UCP 500)

Supplement to UCP 500 for Electronic Presentation (eUCP)

ICC Banking Decisions & Policy Statements:

- The determination of an "original" document in the context of UCP 500 sub-Article 20(b)
- ICC endorsement of the UNCITRAL convention on independent guarantees and standby letters of credit
- The impact of the euro on monetary obligations related to transactions involving ICC rules

Selected Opinions of the ICC Banking Commission:

- Whether an issuing bank and/or advising bank can give a deadline for the notification of an amendment
- Does accepting discrepant documents mean that a bank has to accept similar discrepancies on future drawings?
- Whether the phrase "substitute vessel" constitutes a "similar qualification" under sub-Article 23 (1)(iii)
- Where bill of lading and signatures thereon are produced by imaging technology and sent via the internet, can they qualify as original documents under sub-Article 20 (b)?
- Questions concerning whether insurance must be precisely 110% or whether it can be rounded up; if the credit is silent regarding the insurance coverage, must the insurance cover the entire voyage reflected in the transport document?



**ICC Publication No.
500/3**

21 x 10cm, 16 pages

HK\$50.00

(Special offer: HK\$45)

Supplement to UCP 500 for Electronic Presentation (eUCP)

UCP 500, ICC's universally accepted rules for documentary credits, now have an electronic supplement called eUCP that provides for the electronic presentation of documents.

The 12 Articles of the eUCP work in tandem with UCP 500 where electronic or part-electronic presentation of documents takes place. They cover a range of issues common to electronic documents - the relationship of eUCP to UCP, format, presentation, originals and copies and examination of electronic records. They also contain highly useful definitions of terms - such as "appears on its face" or "place for presentation" - that have different meanings in the paper and electronic worlds.

ICC has established the world's rules for documentary credits for more than 60 years. This new electronic supplement takes account of important new developments in the field, and, like its counterpart for paper documents, will set worldwide standards for the electronic equivalent of paper credits.