



BRAINWARE UNIVERSITY

Term End Examination 2024-2025

Programme – BBA LL.B.-2020

Course Name – Private International Law

Course Code - BBALLB904

(Semester IX)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

- (i) Identify the term that you would choose to describe private international law
 - a) Conflict of Laws
 - b) Domestic Law
 - c) Public International Law
 - d) Criminal Law
- (ii) Choose the principle which private international law prioritizes in resolving conflicts-
 - a) Sovereignty
 - b) Equality
 - c) Universal jurisdiction
 - d) National interest
- (iii) Identify: While choosing the applicable law, private international law considers-
 - a) Jurisdiction
 - b) Choice of law rules
 - c) Conflict resolution mechanisms
 - d) Court procedures
- (iv) Choose the name of the process by which Private international law provides rules for determining the appropriate court or tribunal to hear a case.
 - a) Jurisdiction
 - b) Venue
 - c) Adjudication
 - d) Arbitration
- (v) Identify the factor that is considered while choosing the applicable law in private international law
 - a) The nationality of the parties
 - b) The language spoken by the parties
 - c) The cultural background of the parties
 - d) The most favorable law to one party
- (vi) Identify Renvoi is more likely to be applied in cases involving
 - a) Personal jurisdiction disputes
 - b) International trade disputes
 - c) Recognition and enforcement of foreign judgments
 - d) The interpretation of international treaties
- (vii) Choose the correct answer Renvoi is more likely to be applied to

- a) The laws of two countries conflict with each other
 b) The parties agree to submit to the jurisdiction of a foreign court
 c) The case involves a public policy exception
 d) The court determines that the lex fori is inappropriate
- (viii) Choose the correct answer the doctrine of renvoi can be seen as a tool for
 a) Avoiding forum shopping
 b) Enhancing legal certainty
 c) Promoting uniformity in legal outcomes
 d) Expanding the jurisdiction of national courts
- (ix) In a divorce case involving international parties, choose the factor that helps identify the appropriate court for granting ancillary relief at first hand
 a) Place of marriage
 b) Nationality of the parties
 c) domicile of the parties
 d) Religion of the parties
- (x) Identify the primary source of private international law that governs the resolution of conflicts between legal systems
 a) Treaties
 b) Case law
 c) Domestic legislation
 d) Customary international law
- (xi) Choose the correct source of private international law relies on the principles of fairness, equity, and good conscience
 a) Treaties
 b) Case law
 c) Domestic legislation
 d) Customary international law
- (xii) Identify the provision in Section 13 of the CPC, 1908 that deals with the conditions for the application of res judicata
 a) Clause a
 b) Clause b
 c) Clause c
 d) None of these
- (xiii) Identify amongst the following that is NOT a factor in determining domicile
 a) Marital status
 b) Age
 c) Ethnicity
 d) Political affiliation
- (xiv) Identify the process of changing domicile
 a) Notify friends and family
 b) Register to vote and get a local driver's license
 c) Update social media status
 d) No formal process required
- (xv) Identify the term that is synonymous to Domicile
 a) Residency
 b) Citizenship
 c) Occupation
 d) Passport

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Distinguish between Private International Law and Public International Law. (3)
3. Explain the subject matters of Private International Law. (3)
4. Explain the role of international conventions in harmonization of PRIL. (3)
5. Identify whether the parties in Private International Law choose the applicable law. (3)
6. Examine the position of stateless minor under Private International Law. (3)

OR

- Analyze the concept of choice of law in private international law and how it affects cross-border disputes. (3)

Group-C

(Long Answer Type Questions)

5 x 6=30

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7. Illustrate the process of the courts to determine the closest connection between a legal issue and a particular jurisdiction under the choice of law framework. (5)
8. Identify the role of judicial cooperation and coordination in Private International Law (5)
9. Assess the historical development and evolution of Private International Law, highlighting its origins (5)
10. Assess the significance of nationality as a legal concept in Private International Law (5)
11. Explain the concept of habitual residence in relation to domicile in Private International Law (5)
12. Illustrate the impact of arbitration on the resolution of transnational commercial disputes (5)

OR

Illustrate the challenges and considerations in determining the jurisdiction of arbitral tribunals in Private International Law (5)

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