



<b>Course Code</b> LAW-308	<b>Course Title</b> Maritime Law II	<b>ECTS Credits</b> 6
<b>Department</b> Law	<b>Semester</b> Spring	<b>Prerequisites</b> LAW-307
<b>Type of Course</b> Law Elective	<b>Field</b> Law	<b>Language of Instruction</b> English
<b>Level of Course</b> 1 <sup>st</sup> Cycle	<b>Year of Study</b> 3 <sup>rd</sup> / 4 <sup>th</sup>	<b>Lecturer(s)</b> None assigned
<b>Mode of Delivery</b> Face-to-face	<b>Work Placement</b> N/A	<b>Co-requisites</b> None

### **Objectives of the Course:**

The second part of the course commences by stressing the importance of time in the fulfillment of a maritime contract. Frustration and the calculation of damages are both considered, as well as the legal rules that result in the event of a collision. The special rules concerning salvage, as well as liability for pollution to the marine environment will also be examined. The course concludes with limitation of liability; so much criticized, for its ineffectiveness, in recent decades.

### **Learning Outcomes:**

After completion of the course students are expected to be able to:

1. Examine the meaning and importance of 'laytime' and 'demurrage' in voyage charters.
2. Discuss the various implications of a 'time charter' for contractors.
3. Assess the determining of liability in the event of a maritime collision.
4. Discuss the maritime rules regarding salvage and how these principles apply to wreck.
5. Assess the determining of liability in the event of marine pollution.
6. Appraise the conflict of laws rules regarding the exercise of jurisdiction.
7. State the remedies available in the event of breach and how claims may be subject to limitation.
8. Demonstrate the ever greater blurring between municipal and international law.

### **Course Content:**

During the course, the student will cover the following:

1. Voyage charters – laytime and demurrage: calculating the available laytime; when is charterer's duty to load or discharge triggered?; suspending laytime – laytime exceptions; the shipowner's remedies for delays in loading and discharge – demurrage.
2. Time charters: the shipowner's right of withdrawal; loss of time under a time charter –

'off-hire'; redelivery.

3. Damages and frustration: damages; frustration.

4. Collisions: vicarious liability; standard of care; causation; apportionment of liability; damages; statutory liability; time bar; jurisdiction.

5. Salvage: the sources of salvage law; what property can be salvaged?; what are the geographical limits of salvage?; who can be a salvor?; what services qualify for salvage?; what principles govern the relationship between salvor and salvor?; how is any salvage award calculated?; what remedies are available to salvors?; how do salvage principles apply to wreck?; the 2007 Nairobi International Convention on the Removal of Wrecks.

6. General average: extraordinary sacrifices and expenses; voluntariness; time of peril; common safety; fault; valuing losses and assessing contributory values; rights and remedies of the interests *inter se*; the York Antwerp Rules 2004.

7. Marine pollution: the CLC; the fund; non-tanker oil spills; hazardous and noxious substances (HNS) pollution.

8. Jurisdiction and applicable law: jurisdiction of the English High Court; subsequent challenge to jurisdiction by the defendant; applicable law.

9. Security and interim relief: arrest; the freezing order; other interim relief.

10. Limitation of liability: who can limit?; which claims are subject to limitation?; which claims are not subject to limitation?; how can the right to limit be lost?; how is the limitation figure calculated?; jurisdiction; other limitation regimes.

**Learning Activities and Teaching Methods:**

Interactive lectures, tutorials, written examinations and assignments

**Assessment Methods:**

One written assignment, mid-term exam, final exam

**Required Textbooks/Reading:**

Authors	Title	Publisher	Year
Simon Baughen	Shipping Law (fourth edition)	Routledge-Cavendish	2009

**Recommended Textbooks/Reading:**

Authors	Title	Publisher	Year
Robert Chorley, O.C. Giles, N.J.J. Gaskell and C. DeBattista	Chorley and Giles Shipping Law (ninth edition)	Prentice Hall	2010
John Wilson	Carriage of Goods by Sea (seventh edition)	Longman	2010