

## NIRMA UNIVERSITY

<b>Institute:</b>	Institute of Law
<b>Name of Programme:</b>	B.A.,LLB. (Hons.) and B.Com.,LL.B. (Hons.)
<b>Course Code:</b>	2IE1033
<b>Course Title:</b>	Maritime Law
<b>Course Type:</b>	Institute Elective
<b>Year of Introduction</b>	2022-23

L	T	Practical component				C
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### Course Learning Outcomes (CLO)

At the end of the course the students will be able to:

1. Identify the Nature and Sources of Maritime Law
2. Appraise the Maritime Contract and Shipping Business
3. Appraise Maritime Safety and Security at Sea and Rights of Maritime Labour
4. Evaluate Marine Insurance Contract
5. Examine the Law related to Marine Pollution and Maritime Liability
6. Measure Claims and Admiralty Jurisdiction

### Syllabus:

**Total Teaching hour: 60**

#### Unit-I Introduction to Maritime Law

04 Hours

- Nature of Maritime Law
- Subjects and Sources of Maritime Law
- Evaluation of Maritime Law
- Relationship between Maritime Law, Private International Law and Public International Law
- International Maritime Organization (IMO)

#### Unit-II Maritime Contracts and Shipping Business

16 Hours

- International Trade - Maritime and Shipping Business
- Charter Party Contracts- Voyage, Time and Demise or bareboat
- Bill of Lading
- Rights and obligation of the shipowner and charterer under maritime Contract

- Law related to maritime contract- Hague Rules, Hague Visby Rules, Hamburg Rules and Rotterdam Rules
- Law relating to General Average and Salvage
- Breach of Contract and Limitation of Liability of Shipowner in Maritime Contract

<b>Unit-III</b>	<b>Maritime Safety and Security and Maritime Labour</b>	15 Hours
	<ul style="list-style-type: none"> <li>• Safety and Security at Sea- International Convention for the Safety of Life at Sea (SOLAS), International Ship and Port Facility Security (ISPS) Code, Convention on Facilitation of International Maritime Traffic (FAL), The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) Code, The International Safety Management (ISM) Code, International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk (IBC Code) and International Maritime Dangerous Goods Code (IMDG), International Load Line Convention.</li> <li>• International Regulations for Preventing Collisions at Sea</li> <li>• Maritime Security Threat at Sea, Issues and Challenge</li> <li>• Maritime Labour Convention 2006 and its amendments</li> </ul>	
<b>Unit-IV</b>	<b>Marine Insurance</b>	04 Hours
	<ul style="list-style-type: none"> <li>• Maritime Insurance and Protection and Indemnity (P&amp;I) Club</li> <li>• Principles of Marine Insurance</li> <li>• Maritime risks and losses and Marine Insurance Act, 1963</li> </ul>	
<b>Unit-V</b>	<b>Marine Pollution and Legal Control</b>	09 Hours
	<ul style="list-style-type: none"> <li>• Marine environment and pollution</li> <li>• Marine environmental regulatory framework – International Convention for the Prevention of Pollution of the Sea by Oil (OIL POL), The International Convention for the Prevention of Pollution from Ships (MARPOL), International Convention on Civil Liability for Oil Pollution Damage (CLC), and Fund Convention</li> <li>• Marine environment liabilities and challenges</li> <li>• Enforcement of Marine Pollution Laws</li> <li>• Law related to Maritime Liabilities and Limitations of Liabilities</li> </ul>	
<b>Unit-VI</b>	<b>Maritime Claims and Admiralty Jurisdiction</b>	12 Hours
	<ul style="list-style-type: none"> <li>• Arrest of the Ship</li> <li>• Right to claim – Action in Rem and Action in Personam</li> <li>• The Lien's on the Maritime claims</li> <li>• Issue and challenges relating to maritime claims</li> </ul>	

- The Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017
- Merchant Shipping Act and Maritime Claims

Self-Study:

NA

Suggested Readings /  
References:

- Branch, A. E., & Robarts, M. (2014). *Branch's elements of shipping*. Routledge.
- Jackson, D. (2013). *Enforcement of maritime claims*. Informa Law from Routledge.
- Wilson, J. F. (2008). *Carriage of goods by sea*. Pearson Education.
- Hill, C. (2017). *Maritime law*. Informa Law from Routledge.
- Kraska, J., & Pedrozo, R. (2013). *International maritime security law*. Martinus Nijhoff Publishers.
- Marsden, R. G., Gault, S., Hazelwood, S. J., & Tettenborn, A. M. (2003). *Marsden on collisions at sea* (Vol. 4). Sweet & Maxwell.
- Singh, K. R. (2008). *Maritime security for India: New challenges and responses*. New Century Publications.
- Faure, M. G., Han, L., Lixin, H., & Shan, H. (Eds.). (2010). *Maritime Pollution Liability and Policy: China, Europe, and the US* (Vol. 13). Kluwer Law International BV.
- Twiss, T. (Ed.). (1874). *The Black Book of the Admiralty: With an Appendix. Appendix, Part III* (Vol. 53). Longman.
- Hathi Shrikant Pareshnath and Binita Hathi (2017) *Ship Arrest in India and Admiralty Laws of India* (Tenth Edition)
- Susan Hodges & Christopher Hill (2001) *Principle of Maritime Law*.
- De La Rue, C., & Anderson, C. (2015). *Shipping and the Environment*. Informa Law from Routledge.
- Hillenius, P., & Sandevärn, A. (2018). *Shipbroking and Chartering Practice*. Taylor & Francis.
- Charles Debattisa (2008) *Southampton on Shipping Law*, (Institutes of Maritime Law Informa London.
- Martinez Gutierrez Norman A., (2011) *Limitation of Liability in International Maritime Conventions* (1<sup>st</sup> edition, Routledge.

Suggested Case List:

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