

The Hong Kong Polytechnic University

Subject Description Form

Subject Code	LGT4016
Subject Title	Maritime Law
Credit Value	3
Level	4
Normal Duration	One semester
Pre-requisite / Co-requisite/ Exclusion	Nil
Objectives	<p>The role / purpose of this subject is to enable students to:</p> <ol style="list-style-type: none"> Analyze the legal cases related to international shipping. Identify legal and ethical issues related to international maritime law. Apply principles of maritime law to solve shipping law issues and present the solution in IRAC form. Develop a global outlook as maritime may involve forum shopping in different jurisdictions.
Subject Learning Outcomes	<p>After completion of the subject, students will be able to understand the:</p> <ol style="list-style-type: none"> Basic legal principles of maritime law and their application to possible legal issues of cargo interests and of ship owners. Liability issues relate to maritime events such as cargo losses, collisions, marine pollution and other accidents. Application of maritime law in the protection of marine environment and regulating the exploitation of ocean resources. Different dispute resolution processes such as arbitration, mediation and litigation.
Subject Synopsis/ Indicative Syllabus	<p>Introduction to Maritime Law Principles of International Law: Law of the Seas, Admiralty Law, Carriage of Goods laws, Maritime jurisdiction, Forum selection.</p> <p>Law of the Seas UNCLOS, Maritime zones, Freedom of Navigation.</p> <p>Ownership, Jurisdiction and Regulation of Vessels Acquiring ownership of vessels, Sale and purchase of vessels, Ship Building Contract under HK, UK, US and Australian laws, Flag, Ship registration, types of registers, Flags of Convenience..</p> <p>Collisions and Salvage Collisions: liability, apportionment of loss; Pilotage: criminal and civil liability of a pilot;</p>

	<p>Cases in Salvage and Salvage Convention 1989.</p> <p>Shipping Contracts and Documentation Charter-parties and Bills of Lading.</p> <p>Marine Cargo Recovery and Limitations General Average (York Antwerp Rules)</p> <p>Limitation of ship owners' liability</p> <p>Maritime Litigation Jurisdiction of maritime courts, filing a maritime law suit, Choice of forums, Ship arrest and release, Admiralty Jurisdiction of the High Court of the HKSAR</p> <p>Maritime lien and mortgages; priority of claims during bankruptcy (International conventions related to registration of maritime liens and mortgage)</p> <p>Legal reasoning peculiar to maritime cases, Maritime arbitration</p>																																						
<p>Teaching/Learning Methodology</p>	<p>Lectures introduce and explain key legal principles and appropriate legal cases.</p> <p>Tutorials focus on how to apply legal principles of maritime law to solve admiralty issues in IRAC form.</p>																																						
<p>Assessment Methods in Alignment with Intended Learning Outcomes</p>	<table border="1" data-bbox="534 1041 1476 1444"> <thead> <tr> <th rowspan="2">Specific assessment methods/tasks</th> <th rowspan="2">% weighting</th> <th colspan="6">Intended subject learning outcomes to be assessed (Please tick as appropriate)</th> </tr> <tr> <th>a</th> <th>b</th> <th>c</th> <th>d</th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>Coursework</td> <td>50%</td> <td>✓</td> <td>✓</td> <td>✓</td> <td>✓</td> <td></td> <td></td> </tr> <tr> <td>Examination</td> <td>50%</td> <td>✓</td> <td>✓</td> <td>✓</td> <td>✓</td> <td></td> <td></td> </tr> <tr> <td>Total</td> <td>100 %</td> <td colspan="6"></td> </tr> </tbody> </table> <p>Explanation of the appropriateness of the assessment methods in assessing the intended learning outcomes:</p> <p>The coursework includes - Individual paper 50%, and class exercises with immediate feedbacks.</p>	Specific assessment methods/tasks	% weighting	Intended subject learning outcomes to be assessed (Please tick as appropriate)						a	b	c	d			Coursework	50%	✓	✓	✓	✓			Examination	50%	✓	✓	✓	✓			Total	100 %						
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	<ul style="list-style-type: none"> ▪ Individual paper 	60 Hrs.
	Total student study effort	130 Hrs.
Reading List and References	<p>Baughen, Simon. (2015). <i>Shipping Law</i> (6th Edition). New York, NY: Routledge (PolyU library call no: KD1819. B38 2015eb. Available as eBook.)</p> <p>Hill, Christopher JS. (2003) <i>Maritime Law</i> (6th edition). London: Lloyd's of London Press.</p> <p><i>Halsbury's Laws of Hong Kong</i>, Vol. 18(1), Maritime Law</p> <p><u>Legislation</u></p> <p>The High Court Ordinance (Cap.4) The Rules of the High Court (Cap.4A)</p> <p><u>International Conventions</u></p> <p>Collision Regulations, 1972. Convention on Limitation of Liability of Owners of Sea-going Ships, 1957 Convention on Limitation of Liability for Maritime Claims, 1976. Protocol to the 1976 Limitation Convention, 1996.</p> <p>Salvage Convention, 1989.</p> <p><u>Journals / periodicals</u></p> <p><i>Journal of International Maritime Law</i> <i>Journal of Maritime Law and Commerce</i> <i>Lloyd's List</i> <i>Lloyd's Maritime Law and Commerce Quarterly</i> <i>TradeWind</i></p>	