



MONDAY 26TH NOVEMBER - AFTERNOON

LEGAL PRINCIPLES IN SHIPPING BUSINESS

Time allowed – three hours

Answer any FIVE questions – all questions carry equal marks

Please read the questions carefully before answering

1. Discuss, using examples, the different types of liens that can be used in charter-parties.
2. Describe and discuss the international conventions relating to oil pollution.
3. Clean bills of lading are issued for the carriage of fresh mushrooms from the UK to Japan. On route to Japan, the vessel is grounded due to bad maintenance of the ship's navigational equipment.
The carrier tries to reach the shipper without success and therefore the carrier ships them on board another vessel, at extra expense, in order for the mushrooms to reach their destination without further delay. The goods arrived in Japan on time, and were received in good condition. Please advise the carrier's legal position.
4. Define **BOTH** of these, and explain how they are used and when:
 - (a) An action *in rem*.
 - (b) Ratification in the context of agency.
5. Using case law, explain the legal implications of a Notice of Readiness.
6. In a dock charter-party a ship will be arrived as soon as it gets into that dock. Even if it cannot reach a berth immediately and must wait, the cost of delay in reaching the berth will be for the charterers.

Discuss the effect of *The Stolt Spur* (*Stolt Tankers v Landmark Chemicals SA*) case on this statement.

PLEASE TURN OVER

7. Discuss why parties to a charter-party would agree to resolve their disputes by arbitration. What alternatives could be considered?

8. Write a report discussing the main differences between the different sets of international rules applicable to carriage of goods by sea. What are the advantages and disadvantages of each?