

Descriptor for Module

Module Title:	Carriage of Goods by Sea
Module Team:	C.H.Spurin
Credits:	10M
Code:	
Pre-requisite(s):	None
Co-requisite(s):	None
Award(s) for which module is a core requirement: None	
Aims of the module: To provide students with practical experience of the settlement of disputes common to the chartering industry to ensure that students can implement tactics peculiar to this specialised branch of the law in a professional and competent manner as dispute resolution practitioners.	
Synopsis of module content: <ul style="list-style-type: none"> ▪ Disputes between consignors and carriers and consignees and carriers in respect of damage to goods sustained in transit, with particular emphasis on the relevant contract of carriage which governs the dispute, claims in respect of non-contractual statements in bills of lading, claims in respect of contractual indemnities covering issue of bills of lading and delivery without production of bills of lading and the scope of limitation of liability and action under contractual and statutory terms regarding such claims ▪ Disputes between carriers as bailors with bailees in respect of damage to goods sustained during storage or transit not governed by contracts of carriage and in particular in respect of the terms of bailment and sub-bailment which rely on importation from another contract such as a contract of carriage or an initial bailment agreement ▪ Disputes between shipowners and charterers in respect of breach of express and implied terms governing charterparties with particular reference to general principles applicable to all forms of charterparty, principles specific to voyage charterparties and principles specific to time charterparties ▪ Disputes involving claims for general average. Legal tactics, industry specific dispute resolution and arbitration codes such as the York Antwerp Rules in respect of general average claims 	
Teaching Methods: Two hours per week. The module will be delivered using a combination of methods including guided reading, short lectures and in general through interactive workshops.	
Learning Outcomes: Students will be able to: <ol style="list-style-type: none"> 1 A1, A2, B1 - make informed, structured and cogent written and oral presentations as to arbitrators and other appointed dispute settlement panels on behalf of charterers and shipowners 2 A3, B4, C1 - undertake the role of arbitrator and reach balanced decisions in respect of disputes before them or successfully guide applicants towards a settlement of their disputes 3 B4, C3 - write an arbitral award on a hypothetical dispute arising out of a specialist area of chartering practice. 	

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Key Common Transferable Skills delivered by this module:

- D1 Interactive and Group Skills : Problem Solving.
- D2 Communication and Presentation : Communicate, orally and in written form, the above in a confident professional manner.
- D3 Psycho-Motor : Discuss, devise and implement strategies and tactics for the conduct of claims, defences and counterclaims arising during the course of chartering contracts. Isolate, clarify, assess and manage chartering claims and defences based on hypothetical problem situations and decide the outcome to a hypothetical chartering arbitration.
- D4 Self Appraisal and Management of Learning : Organising and producing Award.

Assessment requirements:

Coursework: 40%. (Word limit not appropriate). Written Adjudication Decision / Arbitral Award assessing candidate's ability to apply law to fact and draft a considered decision / ruling.

Examination. 60%. 2 ½ hours and ½ hour reading time, assessing candidate's ability to advise a client on solutions and strategies, make submissions to an arbiter or form a judgement in relation to hypothetical problems.

Concise Indicative Reading List:

Reading Lists will be updated annually.

Textbooks Current editions of

- **Dockray M.** *Cases and Materials on Carriage of Goods by Sea.* Cavendish.
- **Hughes A.D.** *Casebook on Carriage of Goods By Sea.* Blackstone.
- **Ihre R.** *Shipbroking and Chartering Practice.* Lloyd's Press
- **Ivamy E.R.H.** *Carriage of Goods by Sea.* Butterworths.
- **Glass D.** *Introduction to Carriage of Goods.* Sweet & Maxwell
- **McCata.A.** *Scrutton on Charter Parties* Sweet & Maxwell
- **Sassoon D.** *C.I.F. & F.O.B. Contracts.* Stevens
- **Todd P.** *Contracts for the Carriage of Goods by Sea.* B.S.P.
- **Wilford M.** *Time Charters.* Lloyd's Press.
- **Wilson J.F.** *Carriage of Goods By Sea.* Pitman.

Journals

- **Lloyds Maritime Law Quarterly Review**
- **Journal of Maritime Law and Commerce.**

Websites

- **David Martin Clark** -www.onlinedmc.co.uk
- **Nationwide Academy of Dispute Resolution** - www.nadr.co.uk

Electronic Databases

- Case Law in General
- Lloyds Law Reports

Validation Details: