



TUESDAY 17TH APRIL 2012 – MORNING

SHIPPING LAW

Time allowed – three hours

Answer any FIVE questions – all questions carry equal marks

Please read the questions carefully before answering

1. Discuss, with reference to relevant case law and regulation, the defences of 'inevitable accident' and 'agony of the moment' in the event of a collision incident.
2. Discuss with reference to relevant case law:
 - a) to what extent the element of danger is relevant for the assessment of a salvage claim
and
 - b) what is meant by the term a 'single/one ship' company and the advantages and disadvantages of such a concept to the shipping industry.
3. The owners of a ship are ordered by the English Admiralty court to pay damages to a claimant for personal injury. If the ship is no longer within the jurisdiction of this court, discuss how the claimant can safeguard his interests.
4. The vessel *Wave* owned by company A was chartered to company B under the NYPE form of time charter for 12 months. During the period of the time charter company B sub-voyage chartered the vessel to company C to carry cargo from New Orleans to London with a laycan of 1-5 April. The vessel *Wave* arrived at New Orleans on 6 April and the inspectors refused to pass the vessel's holds as fit for loading. The owners wished to withdraw the vessel because of non-payment of hire by time charterers and sub-charterers wanted to cancel the voyage charter party. Advise the owners of their rights.

PLEASE TURN OVER

5. Discuss with reference to relevant case law:
 - a) what is necessary in the case of (i) a berth charter and (ii) a port charter in order to start the running of laytime?
 - and**
 - b) in what circumstances can laytime start to run if the notice of readiness (NOR) is invalid when tendered?
6. Discuss and analyse with reference to the relevant case law the three major functions of a Bill of Lading in relation to the carriage of goods by sea.
7. Discuss the role of limitation of shipowners' liability and compare the conduct that is necessary to debar the right to limit under the 1957 and 1976 Limitation Conventions.
8. If the actions of a salvor prevent substantial environmental damage, discuss in what circumstances the salvor might be entitled to additional remuneration and the methods by which such additional remuneration could be assessed.