

ICLP-CCC DIPLOMA COURSE IN SHIPPING LAW AND PRACTICE

SYLLABUS

The syllabus is designed to provide participants with a detailed knowledge of both Sri Lankan law and practice relating to Shipping industry. The syllabus is divided into seven parts as follows:

The Duration – 90 hours

Lectures 86 hours

Port Tour 4 hours – only if the circumstances permit

Assessment of study

3 and half hour written paper at the end of the course

A Dissertation

PART I

1) General introduction to Maritime Law

a) Law of the Sea- An area on Public International Law.

- i) Sea Areas i.e. – territorial Waters, EEZ, Continental Shelf, High Seas, Contiguous Zone
- ii) Right of the Coastal state to this sea area.
- iii) Right of innocent passage.
- iv) Sri Lanka's claim to the continental shelf.
- v) Transgressing in territorial waters of other countries without approval or prior notice
- vi) Explosions , Piracy- capture by hostile group etc
- vii) ISPS Code –Ships and Port Security
- viii) Sources of Law- Hard Law & Soft Law (Customary Law of the , Conventions on Law of Sea
- ix) Settlement of Disputes
- x) Maritime Pollution
- xi) Exploitation of Economic Zone

b) Shipping Law- An area of private International Law.

- i) What is Shipping law
- ii) Overlapping areas of shipping law and law of the sea i.e. - Port state control, flag state control, maritime pollution- CLC convention, MARPOL.
- iii) International Maritime Organization.
- iv) Sale of Ships, Mortgage of ships, Ship brokering, Ship Financing
- v) General average, Salvage, Towage
- vi) International conventions
- vii) Shipping related local regulations

PART II

2) Admiralty Law

- i) Actions in Rem and Actions in Personam.
- ii) Ship Arrests, New Arrest of Ships Convention, Counter Security, Aspects of Forum Shopping.
- iii) Priority of claims i.e. – Maritime Claims, Maritime Liens, Mortgages.
- iv) Maritime Fraud
- v) Maritime Arbitration

PART III

3) Carriage of Goods by sea

- i. Liner Shipping, Tramp Shipping, Containerizing
- ii. Charterparties- Types of Charterparties/ liabilities between shipowner and third parties involved, Bills of lading issued under a Time or Voyage Charter Party- Case Law
Electronic Commerce-Electronic Shipping Documents, Electronic Transaction Act
- iii) Hague, Hague Visby and Hamburg rules.
- iv) Carriage of Goods by Sea Act and Case Law
- v) Legal Aspects of Bills of Lading, e-commerce and logistics contracts
- vi) Multimodal Transport Law

PART IV

4) Marine Insurance.

- i) Introduction to Marine Insurance
- ii) Formation of Contracts of Marine Insurance
- iii) Basic Principles of Marine Insurance
- iv)** Lloyds Standard Forms of Insurance
- v)** Hull, Machinery and War Insurance
- vi)** P&I Clubs
- vii)** Settlement of Claim
- viii)** Re-Insurance
- ix) Claims under Marine insurance and preparation of contracts
- x)** Case law under Marine Insurance

PART V

5) Port Operations

- i) Port and Harbour Infrastructure, future Port Projects, Important Provisions of Ports Authority Act
- ii) Container Terminal Operation
- iii) Container Freight Station Operation, Transshipment cargo operation, Special cargo handling
- iv) Passenger/ferry/cruise terminal operation
- v) Liquid and Dry Bulk cargo handling operation
- vi) Automobile handling Operation
- vii) Break Bulk Cargo Handling Operation
- viii) Dangerous Cargo Handling Operations
- ix) Multimodal Transport & Combined Transport Operations-Introduction

- x) Flagging of Ships, Ship Owning Companies, Classification Societies
- xi) Shipping services – ship supplies,
- xii) Manning of ships, Master and Crew, Master and Pilot relationship, Employment and welfare, STCW Convention, Log Books
- xiii) Bringing a ship to port, Pilotage, Ship Bunkering

- xiv) Multimodal Transport Law. Entrepot Trade Procedure

- xv) Shipping Agencies
- xvi) Freight Forwarding
- xvii) Shipping agents and Freight forwarding
- xviii) Ports Authority operations and procedures

PART VI

6) Custom Formalities

- i. Customing goods in Sri Lanka
Concepts, Processes, Actions, Aspirations, Concerns and Laws
- ii. Introduction to custom laws and regulations including automation, valuation, classification
- lii Customs Ordinance – in-depth study with case law
- Iv Customs procedures in clearance of containers
- V Valuation and Classification

PART VII

7) International Trade

- i) Documentation in International Trade, Types Bills of lading, Cargo Manifest and other documentation
- ii) INCO Terms 2010
- iii) Letter of Credit and UCP 600
- iv) Disputes related to contractual documents between importers and exporters