

City University of Hong Kong

Course Syllabus

offered by School of Law
with effect from Semester B 2017/18

Part I Course Overview

Course Title:	<u>Bills of Lading Law</u>
Course Code:	<u>LW6189E</u>
Course Duration:	<u>One semester</u>
Credit Units:	<u>3</u>
Level:	<u>P6</u>
Medium of Instruction:	<u>English</u>
Medium of Assessment:	<u>English</u>
Prerequisites: (Course Code and Title)	<u>Nil</u>
Precursors: (Course Code and Title)	<u>Nil</u>
Equivalent Courses: (Course Code and Title)	<u>Nil</u>
Exclusive Courses: (Course Code and Title)	<u>LW5582, LW6182E and LW6582E Carriage of Goods by Sea Law</u>

Part II Course Details

1. Abstract

This course examines the major international conventions, such as the Hague Rules, the Hague Visby Rules, the Hamburg Rules, the Rotterdam Rules and legal cases in relation to carriage of goods by sea. Sea carriage contracts in the form of bills of lading will be examined. Relevant Hong Kong legislation and cases will be closely examined.

1. identify, analyse, evaluate and critically comment on legal issues concerning bills of lading law;
2. demonstrate a comparative understanding and comprehension of the legal issues in bills of lading law;
3. reflect on the knowledge and understanding in order to identify, analyse and provide solutions to relevant comparative law issues in bills of lading law;
4. creatively use the knowledge learnt in further research or professional practice.

2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	Identify current legal issues in international sea carriage law			√	
2.	Analyse major clauses and standard bill of lading forms			√	
3.	Apply sea carriage law to solve legal problems and handle cargo claims			√	
4.	Apply the relevant law to research complicated legal problems in sea carriage law			√	
		100%			

A1: Attitude

Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.

A2: Ability

Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to self-life problems.

A3: Accomplishments

Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.

3. Teaching and Learning Activities (TLAs)

(TLAs designed to facilitate students' achievement of the CILOs.)

TLA	Brief Description	CILO No.				Hours/week (if applicable)
		1	2	3	4	
Lectures	Discover the practices of the sea carriage business by field trips and/or talks by professionals	√				3
	Discussions on current issues of sea carriage law	√				
	Study of shipping documents and bill of lading forms	√	√			
	Lectures on international conventions, legislation and legal cases of sea carriage law	√	√			
Tutorials	Tutorials on study of sea carriage cases			√		
Assignment	Assignment to resolve legal problems of bills of lading law			√	√	

4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.				Weighting	Remarks
	1	2	3	4		
Continuous Assessment: 50%						
Assignment	√	√	√	√	50%	
Examination: 50% (duration: 3 hours)						
					100%	

Students are required to attend at least 70% of the classes (lectures, seminars, presentations). If a student does not meet this requirement, he/she may be disqualified for assessment.

Students must obtain a minimum mark of 40% in both coursework and examination and an overall mark of 40% in order to pass the course. The examination will be in open-book and students are required to use computers to type the answers.

5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
Assignment	Demonstration of ability to identify issues; Application of knowledge to specific problems and discussion questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.
Examination	Demonstration of ability to identify issues; Application of knowledge to specific problems and discussion questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Part III Other Information (more details can be provided separately in the teaching plan)

1. Syllabus

1.1 Keyword Syllabus

(An indication of the key topics of the course.)

Bill of lading, charter party, Hague Rules, Hague Visby Rules, Hamburg Rules, Rotterdam Rules, Carriage of Goods by Sea Ordinance, Bills of Lading and Analogous Shipping Documents Ordinance

1.2 Detailed Syllabus

Shipping documents including bills of lading, sea waybills and delivery orders will be examined.

Sea carriage contracts on bills of lading and the standard trading conditions of forwarders will be examined.

The sea carriage law to be discussed includes international conventions, legislation and legal cases. For international conventions, the course will include the Hague Rules, the Hague Visby Rules, the Hamburg Rules, the Rotterdam Rules. For foreign legislation, the course will include the US Carriage of Goods by Sea Act, the UK Carriage of Goods by Sea Act. For HK legislation, the course will include Carriage of Goods by Sea Ordinance, Bills of Lading and Analogous Shipping Documents Ordinance and Control of Exemption Clauses Ordinance.

Bills of lading will be studied in the context of e-commerce and multimodal carriage. The study will also cover relevant issues in legal practices including arbitration and court proceedings.

2. Reading List

2.1 Recommended Readings

(Additional references for students to learn to expand their knowledge about the subject.)

John J Wilson, *Carriage of Goods by Sea* (7th ed, 2010), England: Person/Longman
Stephen Girvin, *Carriage of Goods by Sea* (2nd 2011), Oxford: Oxford University Press
Richard Aikens, Richard Lord, and Michael Bools, *Bills of Lading* (2nd 2016), London: Informa
Guenter Treitel and F.M.B. Reynolds, *Carver on bills of lading* (3rd ed, 2011), London: Sweet & Maxwell
Nicholas Gaskell and Regina Asariotis, Yvonne Baatz, (2000) *Bills of lading: law and contracts*, London: LLP
Bernard Eder [et al.], *Scrutton on Charterparties and Bills of Lading*, (22nd ed, 2011), London: Sweet & Maxwell

Journals

Journal of Maritime Law and Commerce, quarterly
Lloyd's Maritime and Commercial Law Quarterly
The Journal of International Maritime Law

2.2 Online Resources

HK Maritime Law website <http://hkmaritimelaw.com>
Seaview (bilingual journal of the Institute of Seatrtransport, HK) <http://www.seatrtransport.org/>