

City University of Hong Kong

Course Syllabus

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

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**Part I Course Overview**

|   |                            |
|---|----------------------------|
| <b>Course Title:</b>                                  | Charterparties Law         |
| <b>Course Code:</b>                                   | LW6190E                    |
| <b>Course Duration:</b>                               | One semester               |
| <b>Credit Units:</b>                                  | 3                          |
| <b>Level:</b>   | P6                         |
| <b>Medium of Instruction:</b>                         | English                    |
| <b>Medium of Assessment:</b>                          | English                    |
| <b>Prerequisites:</b><br>(Course Code and Title)      | Nil                        |
| <b>Precursors:</b><br>(Course Code and Title)         | Nil                        |
| <b>Equivalent Courses:</b><br>(Course Code and Title) | Nil                        |
| <b>Exclusive Courses:</b><br>(Course Code and Title)  | LW6590E Charterparties Law |

## Part II Course Details

### 1. Abstract

This course examines the law of voyage, time and demise charterparties and legal cases in relation to carriage of goods by sea. The commonly used standard forms in charterparties will be discussed.

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

### 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<br>(if applicable) | Discovery-enriched curriculum related learning outcomes (please tick where appropriate) |    |    |
|-----|---|------------------------------|---|----|----|
|     |   |                              | A1  | A2 | A3 |
| 1.  | Identify current legal issues in charterparties law   |                              | √   | √  | √  |
| 2.  | Analyse major clauses and standard charterparty forms   |                              | √   | √  | √  |
| 3.  | Apply charterparties law to solve legal problems and claims                                     |                              | √   | √  | √  |
| 4.  | Apply the relevant law to research on complicated problems concerning the use of charterparties |                              | √   | √  | √  |
|     |   | 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       | given by the instructor   | √        | √ | √ | √ |  |  | 3                           |
| Case studies   | led by the instructor   | √        | √ | √ | √ |  |  |                             |
| guest lectures | One or two guest lectures given by experts or practitioners in charterparties law | √        | √ | √ | √ |  |  | If practical (per semester) |

#### 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%  |          |   |   |   |  |  |           |         |
| coursework, or a closed-book mid-term exam, or another means of assessment with similar difficulty  | √        | √ | √ | √ |  |  | 30%       |         |
| Class participation (including mainly class attendance, class discussion, concentration in the classes, and oral presentation (if presentation tasks are assigned by the instructor)) | √        | √ | √ | √ |  |  | 20%       |         |
| 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.

## 5. Assessment Rubrics

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

| Assessment Task        | Criterion   | Excellent<br>(A+, A, A-)   | Good<br>(B+, B, B-)   | Fair<br>(C+, C, C-)   | Marginal<br>(D)  | Failure<br>(F)  |
|------------------------|---|--|---|---|--|---|
| 1. Class Participation | Demonstration of concentration on lectures and class discussions.<br>Demonstration of ability and willingness to answer questions in class and to participate in class/group discussion.<br>Demonstration of oral presentation skills and willingness.<br>Demonstration of attention and patience to other students' speech or presentation.<br>Demonstration of full respect for different opinions from others in the class.  | 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. |
| 2. Coursework          | Demonstration of understanding of concepts, principles, and theories.<br>Demonstration of ability to identify legal issues.<br>Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon.<br>Application of legal writing and research skills.<br>Demonstration of ability to engage in argument-based analysis based on critical thinking.<br>Demonstration of aptitude for formulating innovative solutions to designated fact-based 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. |

|                |  |   |  |  |   |  |
|----------------|--|---|--|--|---|--|
| 3. Examination | <p>Demonstration of understanding of concepts, principles, and theories.</p> <p>Demonstration of ability to identify legal issues.</p> <p>Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon.</p> <p>Application of legal writing and research skills.</p> <p>Demonstration of ability to engage in argument-based analysis based on critical thinking.</p> <p>Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.</p> | <p>Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.</p> | <p>Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.</p> | <p>Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.</p> | <p>Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.</p> | <p>Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.</p> |
|----------------|--|---|--|--|---|--|

## **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.)*

Voyage charterparty, time charterparty, bareboat charterparty

#### **1.2 Detailed Syllabus**

- I. Introduction
- II. Voyage Charterparties  
GENCON 94; preliminary voyage, loading operation; laytime; demurrage; ship; bills of lading issued thereunder; etc.
- III. Time Charterparties  
NYPE 93; ship; charter period; payment of hire; off-hire; trading limits; delivery and redelivery; etc.
- IV. Bareboat Charterparties  
BARECON 2001; ship; delivery and redelivery; trading limits; maintenance and operation; hire; mortgage; lien; etc.

### **2. Reading List**

#### **2.1 Compulsory Readings**

*(Compulsory readings can include books, book chapters, or journal/magazine articles. There are also collections of e-books, e-journals available from the CityU Library.)*

Nil

#### **2.2 Recommended Readings**

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

Julian Cooke et al., *Voyage Charters* (3<sup>rd</sup> ed, 2007), England: Informa  
Terence Coghlin et al., *Time Charters* (6<sup>th</sup> ed, 2008), England: Informa  
Mark Davis, *Bareboat Charters* (2<sup>nd</sup> ed, 2005), England: LLP  
John J Wilson, *Carriage of Goods by Sea* (7<sup>th</sup> ed, 2010), England: Person/Longman  
Stephen Girvin, *Carriage of Goods by Sea* (2007), Oxford: Oxford University Press  
Simon Baughen, *Shipping Law* (5<sup>th</sup> ed, 2012), England: Routledge  
Martin Dockray, *Cases & Materials on the Carriage of Goods by Sea* (3<sup>rd</sup> ed, 2004), England: Cavendish Publishing  
A D Hughes, *Casebook on Carriage of Goods by Sea* (2<sup>nd</sup> ed, 1999), London: Blackstone

#### Journals

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

#### **2.3 Online Resources**

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