

LW6147E: CARRIAGE OF GOODS BY SEA LAW

New Syllabus Proposal

Effective Term

Semester A 2025/26

Part I Course Overview

Course Title

Carriage of Goods by Sea Law

Subject Code

LW - Law

Course Number

6147E

Academic Unit

School of Law (FL)

College/School

School of Law (FL)

Course Duration

One Semester

Credit Units

3

Level

P5, P6 - Postgraduate Degree

Medium of Instruction

English

Medium of Assessment

English

Prerequisites

Nil

Precursors

Nil

Equivalent Courses

Nil

Exclusive Courses

Nil

Additional Information

Nil

Part II Course Details

Abstract

This course examines the law for the carriage of goods by sea by considering Charterparties and Bills of lading law. Charterparty law concerns the hiring of a ship for the purpose of using it for carriage of goods. What cargo the ship carries, where and when the ship should load and where should this be delivered are issues determined under the charterparty. Commonly used time and voyage charterparty forms will be considered. When the goods are loaded onto a ship a shipping document is issued as a receipt of what has been put onboard. However, some shipping documents, Bills of Lading in particular, may have additional functions. The shipowner is legally bound to deliver the goods to the holder of the Bill of lading. Furthermore, where the goods arrive damaged the bill of lading may be the evidence of the contract of carriage on which the receiver of the goods can sue. In many cases the bills of lading incorporate the charterparty clauses and this provides for further complexity Bills of lading are transferable thus the goods can be sold while transported. Contractual rights are transferred to the holder of the bill of lading by statute and minimum protection against unfair contractual terms is provided under international conventions, such as the Hague-Visby Rules. Students who attend this course will learn how this relevant and practical area of commercial law operates in detail and develop competency in understanding the issues involved in cargo claims.

Course Intended Learning Outcomes (CILOs)

CILOs	Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Describe the standard arrangement in charterparties and identify the commercial context in which these operate.	x	x	
2	Interpret and explain charterparties by using principles of English contract law and relevant case law.	x	x	
3	Describe and analyse the various categories of shipping documents and their functions.	x	x	x
4	Critically analyse the statutory regimes transferring rights to holders of shipping documents and to regimes establishing minimum standards for contracts of carriage of goods by sea evidence through bills of lading.	x	x	x

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 real-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.

Learning and Teaching Activities (LTAs)

LTAs		Brief Description	CILO No.	Hours/week (if applicable)
1	Seminars	Students will engage in the study of contractual and statutory arrangements concerning the carriage of goods by sea.	1, 2, 3, 4	3
2	Guided individual studying	Students will engage with basic independent research and critical assessment skills.	1, 2, 3, 4	
3	Quizzes, problem solving and formative assignments	Students will develop practical skills of analysis and synthesis in the usage of shipping documents and charterparties and the legal functions they offer.	1, 2, 3, 4	

Assessment Tasks / Activities (ATs)

ATs		CILO No.	Weighting (%)	Remarks ("-" for nil entry)	Allow Use of GenAI?
1	Online Quizzes (4 x 5%) or assignment	1, 2, 3, 4	20	-	No

Continuous Assessment (%)

20

Examination (%)

80

Examination Duration (Hours)

2

Minimum Examination Passing Requirement (%)

40

Additional Information for ATs

Exam: The use of GenAI is not allowed.

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter

Students must obtain a minimum mark of 40% in examination in order to pass the course. Students are required to use computers to type their answers. During the examination, students will have access to statutory materials and international conventions.

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

Students must obtain a minimum mark of 50% in examination in order to pass the course. Students are required to use computers to type their answers. During the examination, students will have access to statutory materials and international conventions.

Assessment Rubrics (AR)**Assessment Task**

Quizzes /Assignment (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

Demonstration of an ability to answer accurately specific questions, select the correct answers from a group of mixed correct and wrong answers, solve mini problems quickly and identify case law and the legal principles it supports correctly.

Excellent

(A+, A, A-) Strong evidence of original thinking; good organisation; capacity to organise and synthesise; superior grasp of subject matter; evidence of extensive knowledge base.

Good

(B+, B, B-) Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair

(C+, C, C-) Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal

(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure

(F) Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Examination (for students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter)

Criterion

Demonstration of a good understanding of relevant statutes, cases, doctrines and concepts, and an ability to use these to solve complex legal problems.

Excellent

(A+, A, A-) Strong evidence of original thinking; good organisation; capacity to organise and synthesise; superior grasp of subject matter; evidence of extensive knowledge base.

Good

(B+, B, B-) Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.

Fair

(C+, C, C-) Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.

Marginal

(D) Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.

Failure

(F) Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

Assessment Task

Quizzes /Assignment (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

Demonstration of an ability to answer accurately specific questions, select the correct answers from a group of mixed correct and wrong answers, solve mini problems quickly and identify case law and the legal principles it supports correctly.

Excellent

(A+, A, A-) High

Good

(B+, B) Significant

Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Assessment Task

Examination (for students admitted from Semester A 2022/23 to Summer Term 2024)

Criterion

Demonstration of a good understanding of relevant statutes, cases, doctrines and concepts, and an ability to use these to solve complex legal problems

Excellent

(A+, A, A-) High

Good

(B+, B) Significant

Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Part III Other Information

Keyword Syllabus

Carriage of Goods by Sea. Shipping Documents, Bill of lading, Incorporation of Charter Party forms, Hague Rules, Hague Visby Rules, Hamburg Rules, Rotterdam Rules, Carriage of Goods by Sea Ordinance, Bills of Lading and Analogous Shipping Documents Ordinance.

Seminar 1

Charterparties and Bills of Lading

Introduction to the course: Charterers Owners and Bill of Lading holders

Seminar 2

Charterparties

Seaworthiness and the description of the ship

Seminar 3

Charterparties

Where can the ship go and what can the ship carry?

Seminar 4

Charterparties

Payment under voyage charterparties: freight and dead freight

Seminar 5

Charterparties

Laytime and demurrage

Seminar 6

Charterparties

Payment under time charterparties: hire, off-hire and deductions

Seminar 7

Bills of lading

Shipping documents and their functions

Seminar 8

Bills of lading

The Hague-Visby Rules

Seminar 9

Bills of lading

The identity of the Carrier

Seminar 10

Bills of lading

Contractual rights to sue under bills of lading

Seminar 11

Bills of lading

Incorporation of Charterparty terms into a bill of lading

Seminar 12

Legal developments

Electronic Bills of lading, Charterparty terms for Green shipping - Revision

Reading List**Additional Readings**

	Title
1	Introductory Student textbooks
2	Maritime Law 2020 (5th edition). Should become available online. Only the part related to contracts of Carriage by Sea.
3	Baughen, S. (2023). Shipping law (8th ed.). Milton Park, Abingdon, Oxon ; New York, NY: Routledge.
4	Stephen Girvin, Carriage of Goods by Sea (3rd 2022), Oxford: Oxford University Press
5	Practitioner' s Books
6	Cooke et al., Voyage Charters (5th ed. 2022), England: Informa
7	Coghlin et al., Time Charters (7th ed, 2014), England: Informa
8	Aikens et al., Bills of Lading (3rd 2021), London: Informa (Available on i-law http://www.cityu.edu.hk/lib/eres/database/info/ilaw.htm .)
9	Treitel and Reynolds, Carver on bills of lading (5th ed, 2022), London: Sweet & Maxwell
10	Foxton et al., Scrutton on Charterparties and Bills of Lading, (25th ed, 2024), London: Sweet & Maxwell
11	Journals

12	Journal of Maritime Law and Commerce
13	Lloyd' s Maritime and Commercial Law Quarterly
14	The Journal of International Maritime Law