

LW6188E: CHINESE AND COMPARATIVE MARITIME LAW

Effective Term

Semester A 2025/26

Part I Course Overview

Course Title

Chinese and Comparative Maritime Law

Subject Code

LW - Law

Course Number

6188E

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

LW6588E Chinese Maritime Law

Additional Information

Nil

Part II Course Details

Abstract

This course surveys both substantive and procedural provisions in the Chinese maritime legal system from both comparative and international perspectives. Based on the Maritime Code and the Special Maritime Procedure Law of the People's Republic of China as well as pertinent administrative regulations, departmental rules, and judicial interpretations, it covers all of the main areas of the Chinese maritime legal system. Wherever possible, each topic covered by this course is explored from a comparative perspective; pertinent international laws and conventions are addressed as well.

Course Intended Learning Outcomes (CILOs)

	CILOs	Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Master legal theories in the Chinese maritime law		x	x	x
2	Analyse complex legal issues in the Chinese maritime law		x	x	x
3	Apply legal theories to legal practice in the Chinese maritime law		x	x	x
4	Compare distinct legal mechanisms between the Chinese legal system and other legal systems such as those of Hong Kong and the UK		x	x	x
5	Present critical evaluation of legal arguments in the Chinese maritime law		x	x	x
6	Initiate independent legal research in the Chinese maritime law		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	Lectures	Given by the instructor	1, 2, 3, 4, 5	
2	Case studies	Led by the instructor	1, 2, 3, 4, 5	
3	Legal research	Guided by the instructor	1, 2, 3, 4, 5, 6	
4	Guest lectures	One or two on maritime property law	1, 2, 3, 4, 5, 6	If possible (per semester)

Additional Information for LTAs

3 hours/week

Assessment Tasks / Activities (ATs)

	ATs	CILO No.	Weighting (%)	Remarks ("- " for nil entry)	Allow Use of GenAI?
1	Coursework	1, 2, 3, 4, 5, 6	50	-	No

Continuous Assessment (%)

50

Examination (%)

50

Examination Duration (Hours)

3

Minimum Continuous Assessment Passing Requirement (%)

40

Minimum Examination Passing Requirement (%)

40

Additional Information for ATs

Examination: The use of Generative AI tools is not allowed.

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

Students must obtain a minimum mark of 50% in both coursework and examination and an overall mark of 50% in order to pass the course. The examination will be in open-book.

When University facilities and resources are available, students are required to take a computer-based examination in computer labs. During the examination, students are blocked from access to files, programme and the Internet.

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 both coursework and examination and an overall mark of 40% in order to pass the course. The examination will be in open-book.

When University facilities and resources are available, students are required to take a computer-based examination in computer labs. During the examination, students are blocked from access to files, programme and the Internet.

Assessment Rubrics (AR)**Assessment Task**

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

Criterion

Demonstration of understanding of concepts, principles, and theories.

Demonstration of ability to identify legal issues.

Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon.

Application of legal writing and research skills.

Demonstration of ability to engage in argument-based analysis based on critical thinking.

Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.

Excellent

(A+, A, A-) Strong evidence of original thinking; good organization, capacity to analyse and synthesize; 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 understanding of concepts, principles, and theories.

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Assessment Task

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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)

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Part III Other Information

Keyword Syllabus

Chinese Maritime Code; judicial interpretation; ship ownership and registration; ship mortgage; possessory lien; maritime lien; contracts for carriage of goods by sea; ship collision; limitation of liability; marine pollution; marine insurance; jurisdiction; applicable law; Chinese Maritime Special Procedure Law.

Detailed Syllabus

- a. Ship
- b. Charter parties
- c. Bills of lading
- d. Carriage of passengers by sea
- e. Admiralty law
- f. Marine insurance
- g. Applicable law
- h. Admiralty jurisdiction

- i. Maritime procedure
- j. Chinese maritime law reform

Reading List

Compulsory Readings

Title	
1	Nil

Additional Readings

Title	
1	Books
2	Xing Lijuan, <i>The Essentials of Chinese Maritime Law</i> (Wolters Kluwer Hong Kong) (2017).
3	Zhao Liang, <i>Chinese Maritime Law and Practice</i> (Informa Law from Routledge) (2017)
4	Si Yuzhuo, <i>Maritime Law (Chinese)</i> (4th edition, Law Press, China) (2014)
5	Si Yuzhuo, <i>Maritime Law Monograph (Chinese)</i> (4th edition, Chinese Renmin University Press) (2018)
6	Periodicals
7	<i>Chinese Journal of Maritime Law</i> (formerly, <i>Annual of Chinese Maritime Law</i>)
8	<i>Gazette of the Supreme People's Court</i>
9	<i>Tulane Maritime Law Journal</i>
10	<i>Journal of Maritime Law and Commerce</i>
11	<i>Lloyd's Maritime and Commercial Law Quarterly</i>
12	<i>Journal of International Maritime Law</i>
13	Online Resources
14	China Judgments Online, http://wenshu.court.gov.cn/ (in Chinese).
15	China Foreign-Related commercial and Maritime Trial, http://www.ccmt.org.cn/index_en.php .
16	The Supreme People's Court of the People's Republic of China, http://www.court.gov.cn/ (in Chinese).