

LW6190E: CHARTERPARTIES LAW

Effective Term

Semester B 2024/25

Part I Course Overview

Course Title

Charterparties Law

Subject Code

LW - Law

Course Number

6190E

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

LW6590E Charterparties Law

Part II Course Details

Abstract

This course examines the law of contracts for the use of ships, usually called charterparties. Voyage, time, slot and demise charterparties will be examined. The course will enable students to understand how contract law principles are applied in a

commercial context. Commonly used charterparty forms will be the basis for discussion. By completing the course students will be able to

- Distinguish between the various categories of charterparties and identify the commercial context in which these operate;
- Analyse and interpret charterparties by using principles of English contract law and relevant case law
- Analyse, evaluate and resolve charterparty disputes
- Synthesise commercial information in order to develop appropriate charterparty terms

Course Intended Learning Outcomes (CILOs)

CILOs		Weighting (if app.)	DEC-A1	DEC-A2	DEC-A3
1	Distinguish between the various categories of charterparties and identify the commercial context in which these operate;		x		
2	Analyse and interpret charterparties by using principles of English contract law and relevant case law		x	x	
3	Analyse, evaluate and resolve charterparty disputes		x	x	x
4	Synthesise commercial information in order to develop appropriate charterparty terms		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	2
2	Case studies	Group work	3, 4	1 or
3	Drafting work	Group work	4	1

Assessment Tasks / Activities (ATs)

ATs		CILO No.	Weighting (%)	Remarks (e.g. Parameter for GenAI use)
1	Coursework	1, 2, 3, 4	20	
2	Class participation (class contributions, performance in quizzes)	1, 2, 3, 4	20	The use of Generative AI tools is not allowed.

Continuous Assessment (%)

40

Examination (%)

60

Examination Duration (Hours)

3

Additional Information for ATs

Examination: The use of Generative AI tools 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 both coursework and examination and an overall mark of 40% in order to pass the course.

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.

During the examination the students will have access to all relevant statutory and contract materials. However, students will not have access to their notes, to the internet or to any books (except a dictionary). Students will be required to use computers to type the answers.

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

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

Criterion

Demonstration of concentration on lectures and class discussions.
Demonstration of ability and willingness to answer questions in class and to participate in class/group discussion.
Demonstration of oral presentation skills and willingness.
Demonstration of attention and patience to other students' speech or presentation.
Demonstration of full respect for different opinions from others in the class.

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

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Assessment Task

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

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-) High

Good

(B+, B) Significant

Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Assessment Task

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

Criterion

Demonstration of concentration on lectures and class discussions.

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Marginal

(B-, C+, C) Moderate

Failure

(F) Inadequate

Part III Other Information**Keyword Syllabus**

Contracts for the use of ships. Voyage charterparty, time charterparty, slot charterparty, bareboat charterparty

Detailed Syllabus

Seminar 1: Types of Charterparties. Formation of the Contract. Applicable law

Seminar 2: Charterparties and Contract law. Implied, express and incorporated terms. Misrepresentation. Contractual breach and damages.

Seminar 3: Description of the ship

Seminar 4: Where can the ship operate. Trading limits and safe ports.

Seminar 5: What can the ship carry. Contractual arrangements and dangerous cargo. Obligation to provide cargo.

Seminar 6: Payment under a voyage charter: freight

Seminar 7: Payment under a voyage charter: Notice of Readiness, Laytime and demurrage.

Seminar 8: The period of a time charterparty- payment of hire

Seminar 9: Owner' s responsibility clause..The relationship between the charterer and the master. The authority of the charterer

Seminar 10: The Hague Visby Rules in charterparties. Cargo operations. Bills of lading under the charterparty. Cesser clauses

Seminar 11: Charterparty terms enabling environmentally friendly performance.

Seminar 12: Bareboat charters and Slot charters.

Reading List**Compulsory Readings**

Title	
1	Nil

Additional Readings

Title	
1	(Most Informa books are available on i-law which is accessible through the CityU Library)
2	Textbooks:
3	John J Wilson, Carriage of Goods by Sea (7th ed, 2010), England: Person/Longman

4	Stephen Girvin, Carriage of Goods by Sea (2011), Oxford: Oxford University Press
5	Simon Baughen, Shipping Law (7th ed, 2018), England: Routledge
6	Paul Todd, Principles of the Carriage of Goods by Sea, (2016) Routledge
7	Yvonne Baatz (editor) Maritime Law, 5th edition. Informa
8	Practitioner books
9	Julian Cooke et al., Voyage Charters (4th ed, 2014), England: Informa
10	Terence Coghlin et al., Time Charters (7th ed, 2014), England: Informa
11	Mark Davis, Bareboat Charters (2nd ed, 2005), England: LLP
12	John Schofield, Laytime and Demurrage (7th edition 2016) Informa
13	Journals
14	Journal of Maritime Law and Commerce, quarterly
15	Lloyd's Maritime and Commercial Law Quarterly
16	The Journal of International Maritime Law
17	Online Resources
18	HK Maritime Law website, http://hkmaritimelaw.com