

Hong Kong Fir Shipping Co V Kawasaki Kisen Kaisha

Michael Fisher, Desmond G. Greenwood

Landmark Cases in the Law of Contract Charles Mitchell, Paul Mitchell, 2008-05-30 Landmark Cases in the Law of Contract offers twelve original essays by leading contract scholars. As with the essays in the companion volume, Landmark Cases in the Law of Restitution (Hart, 2006) each essay takes as its focus a particular leading case, and analyses that case in its historical or theoretical context. The cases range from the early eighteenth- to the late twentieth-centuries, and deal with an array of contractual doctrines. Some of the essays call for their case to be stripped of its landmark status, whilst others argue that it has more to offer than we have previously appreciated. The particular historical context of these landmark cases, as revealed by the authors, often shows that our current assumptions about the case and what it stands for are either mistaken, or require radical modification. The book also explores several common themes which are fundamental to the development of the law of contract: for instance, the influence of commercial expectations, appeals to 'reason' and the significance of particular judicial ideologies and techniques.

Cases and Materials on the Carriage of Goods By Sea Martin Dockray, 2013-03-04 Cases Materials on the Carriage of Goods by Sea includes a collection of legislative material, standard form contracts and up-to-date coverage of English case law. It covers the major areas of chartering and bills of lading, as well as matters such as exclusion and limitation of liability. This edition has been comprehensively updated and adds the latest cases to its strong coverage of classic authorities. Notable additions in the chapters dealing with bills of lading include The Starsin, The Rafaela S, Motis Exports and The David Agmashenebeli. On the Carriage of Goods by Sea Act 1924, the important decisions of The Berge Sisar and East West Corp are incorporated, while key recent decisions on chartering, such as The Hill Harmony, The Happy Day and The Stolt Spur are fully treated. This book provides an up-to-date collection of materials relating to the carriage of goods by sea which will be of value to both students of law and legal practitioners.

Maritime Fraud and Piracy Paul Todd, 2013-07-04 The main focus of this book is the impact of maritime fraud on contracts for sale and carriage, documentary credits and marine insurance. It covers all varieties of maritime fraud, from the most serious downwards, describing the methods employed and the risks to traders and carriers. At the serious end of the spectrum, pirates capture an entire ship, often murdering the entire crew, in order to sell the cargo (to which of course they have no title), later to use the "innocent" ship to pose as innocent traders. Less serious (but perhaps of greater interest to

lawyers) are misdescriptions of cargo in, or backdating of, bills of lading, and other deceptions, usually practised on purchasers and banks.

The World of Maritime and Commercial Law Charles Mitchell, Stephen Watterson, 2020-04-30 This collection of 20 essays contains recent work by legal scholars, practitioners and judges, all internationally renowned for their expertise in the fields of maritime and commercial law. For maritime lawyers, the book contains absorbing and important studies of the law governing maritime collisions, carriage of goods by sea (examining the meaning of 'actual carriage' in the Hamburg Rules, and the complex web of rules that governs multimodal carriage), and marine insurance (discussing the history of the doctrine of utmost good faith, and jurisdiction clauses in cargo policies). In the area of private international law, there are chapters on the choice of law rules affecting the ownership of ships, and on recent cases where conflict of laws issues have been decided by the Privy Council. For generalist commercial lawyers, there is a wealth of scholarship on the Sale of Goods Act 1979, its provisions and scope, and on the rules of contractual interpretation, their history, content and application in commercial settings. In addition, there are chapters on negotiating damages for breach of contract, illegality, tracing misapplied funds, the application of private law rules to disputes about cryptocurrencies and developments in the law of directors' duties. Taken as a whole, the essays in this collection stand out for their breadth of scholarship, analytical power, depth of understanding, and penetrating insights even into the knottiest problems of maritime and commercial law. They are essential reading for every maritime and commercial lawyer and a fitting tribute to a scholar who has led the way in both fields for many decades.

Maritime Law Yvonne Baatz, 2020-10-29 Now in its fifth edition, this authoritative guide covers all of the core aspects of maritime law in one distinct volume. Maritime Law is written by a team of leading academics and practitioners, each expert in their own field. Together, they provide clear, concise and fully up-to-date coverage of topics ranging from bills of lading to arrest of ships, all written in an accessible and engaging style. As English law is heavily relied on throughout the maritime world, this book is grounded in English law whilst continuing to analyse the key international conventions currently in force. Brand new coverage includes: The impact of the European Union (Withdrawal Agreement) Act 2020 which amends the European Union (Withdrawal) Act 2018. Over one hundred new cases from the English courts, the Court of Justice of the European Union and the International Tribunal for the Law of the Sea. Changes to the Merchant Shipping (Registration of Ships) Regulations 1993, including the Merchant Shipping (Registration of Ships) (Amendment) (EU exit) Regulations 2019. Discussion of the Incoterms 2020 which are available for incorporation into sale contracts from 1 January 2020. Updates on litigation and amendments to the Admiralty Civil Procedure Rules. This book is a comprehensive reference source for students, academics and legal practitioners worldwide, especially those new to maritime law or a particular field therein.

Law of Yachts & Yachting Richard Coles, Filippo Lorenzon, 2013-07-31 The book is the first comprehensive treatise on the

law relating to yachts and provides its readers with a thorough analysis of maritime law as relevant to the superyacht sector. Written by a team of leading yachting practitioners and researchers, it covers the legal issues arising during the life of a yacht. The book is written for the legal practitioner, yacht-broker and manager concerned with the operation of professionally crewed yachts including financing, registration, chartering, insurance, compliance and casualty management. Key Features - •This is the first and only practitioners' book on the area •It covers all major aspects of yachting law in a single book •The Law of Yachts and Yachting is highly comprehensive - despite its main focus on contract and tort law, it contains references to public law and international law and practice •References to case law, English, foreign and international •Appendices containing essential source materials

Transport Law in Australia John Livermore, 2023-08-20 John Livermore's succinct monograph provides a useful overview of Australian transport law, as of July 2017...This is a readable and useful publication which provides a good summary of Australian transport law. Simon Baughen, Professor of Shipping Law, Swansea University /Artho Cyraith Llongau. Extract from full review of the 3rd edition in Journal of International Maritime Law, January 2020 Transport Law in Australia is a clear and well researched resource covering all modes of transport. It should be the first port of call for logistic professionals, transport lawyers and students when seeking to understand the legalities of transport in Australia. Russell Wiese, Director CTG Law This updated edition of Transport Law in Australia describes the main sources of transport law, jurisdiction and courts, state immunity, and the legal role of transport intermediaries. The scope of the book is broad in that it encompasses maritime, road, rail, air, and multimodal transport law. Almost half the book is devoted to maritime and shipping law which, for an island nation with over 95% of its international trade carried by sea, is as important as it is unsurprising. Whilst works of this nature have the potential to be a 'dry' read, in this case the author has taken an approach which makes the book eminently readable and usable. The text is well supported by in-depth research and enhanced with comprehensive referencing, footnotes, tables of cases and statutes, as well as a selected bibliography. With Australian society and the economy vitally dependent on all modes of transport this book will be a valuable addition for many in the transport community. This includes transport operators, shippers and freight forwarders, transport regulators and lawyers, as well as academics, researchers and students engaged in the study of transport. The author's practical and masterful approach to the subject should go a long way to ensuring the success of Transport Law in Australia as well as being a valuable addition to the body of literature on this important topic. Barrie Lewarn, Professor, Australian Maritime College, National Centre for Ports and Shipping, University of Tasmania Review of the 2nd edition of Transport Law in Australia

Marine Insurance Law Ozlem Gurses, 2015-03-02 This book expertly introduces and clearly explains all topics covered in marine insurance law courses at undergraduate and postgraduate levels, offering students and those new to the area a comprehensive and accessible overview of this important topic in commercial law. Beginning by introducing the general

principles of the subject, the structure and formation of insurance contracts, Marine Insurance Law then looks to individual considerations in detail, including: brokers, losses, risks and perils, sue and labour, reinsurance, and mutual insurance/P&I clubs. This title has been developed with the needs of courses specifically in mind, and its content has been tailored to include the most important and commonly taught topics in the field. Each chapter contains end of chapter further reading to support student research, ensuring this new textbook provides a reliable and accessible gateway into this important topic in maritime law

Contract Law in Hong Kong Stephen D. Mau, 2016-08-09 This is one in a series of introductory books providing readers with an overview of the most frequently encountered legal principles. This book presents an introduction to contract principles that apply in Hong Kong. The new edition has been updated to reflect the current state of the law and to include newer cases, both local and overseas. The organisational structure has been revised for easier comprehension while keeping to the sequence in which a legally binding agreement is usually encountered. *Contract Law in Hong Kong* is an easy-to-understand reference book for students, practitioners, non-law professionals, and the general public.

Contract Law in Hong Kong Michael Fisher, Desmond G. Greenwood, 2011-01-01 This revised and expanded second edition of *Contract Law in Hong Kong* is the most comprehensive contemporary textbook on Hong Kong contract law written primarily for law students. The 16 chapters of the book cover all basic contract concepts in a reader-friendly style and make ample use of case illustrations. The book deals with all the core areas of Contract Law. The first two chapters introduce the major themes and explain the multiple sources of law in Hong Kong. The subsequent thirteen chapters cover the formation of a valid contract, its contents, vitiating elements, the consequences of illegality, the termination of contracts and remedies for breach of contract. The book concludes with an explanation of the doctrine of privity and proposals for reform of the operation of privity in Hong Kong. Particular attention is given to what makes Hong Kong law different from other common law jurisdictions, and to the continuing significance of English case law in Hong Kong and the theoretical and practical reasons for this. The book is intended primarily as a readable but comprehensive and authoritative text for Hong Kong law students. Practising lawyers and professionals who need to acquire knowledge on the topic, however, will also find this book useful and accessible.

Aspects of the Hague Rules Malcolm Alistair Clarke, 2013-12-01 It has been estimated that four-fifths of an carriage of goods by sea are governed by the Hague Rules, properly known as the Convention for the Unification of Certain Rules Relating to Bills of Lading, signed at Brussels in 1924. The success of the Convention is well recognised. Its importance is self-evident and such that, notwithstanding its success, it has been the subject of regular scrutiny with a view to improvement and reform. Attention has focussed on various matters, among them two central provisions which are the subject of this book. First to be considered is article X concerning the legal scope of the Convention: to which contracts for

carriage under bills of lading does the Convention apply? This question has caused much trouble, was debated by the C. M. 1. for twenty years and was apparently settled by a new Convention signed at Brussels in 1968; but the solution may never come into force as the entire Convention is currently being considered by the United Nations with a view to reform of a different kind. The second part of the book examines one of the fundamental duties in the Convention. The ultimate duties of the carrier are duties of due diligence, diligence in caring for cargo and diligence in preparing his ship for sea. It is the latter duty that has been selected for detailed study.

Bills of Lading Nicholas Gaskell, 2017-07-05 Bills of Lading: Law and Contracts provides a detailed legal analysis of common standard form clauses in bills of lading (and waybills) which are in use in the maritime world, as well as a comprehensive examination of the legal principles which are applicable to them. Bills of Lading: Law and Contracts provides a detailed legal analysis of standard form clauses in bills of lading (and waybills) which are in use in the maritime world, as well as a comprehensive examination of the legal principles which are applicable to them.

Insurance Law Implications of Delay in Maritime Transport Aysegül Bugra, 2017-07-06 Delay in a marine adventure is an important and frequent phenomenon of maritime transport as it affects various parties and their interests. Insurance Law Implications of Delay in Maritime Transport is the first single book to deal specifically with this issue in the context of insurance law. The book addresses the losses and expenses that may arise from delay or loss of time in maritime transport, the types of insurance available covering or excluding losses arising from it and the impact of delay on voyage policies. The author, Ayşegül Buğra, critically examines and evaluates the scope of several different types of marine insurance policies, including but not limited to: hull and machinery, cargo, freight, loss of hire and marine delay in start-up insurance. Furthermore, the book analyses the current law by tracing back the relevant common law authorities to the 18th century and examines the wordings used in practice from that time to today with a comprehensive and critical approach. This unique text will be of great interest to legal practitioners, shipping professionals and academics alike.

The International Convention for the Prevention of Pollution from Ships Henrik Ringbom, Aldo Chircop, 2025-02-12 This Commentary presents an in-depth exploration of what is widely regarded as the most important International Maritime Organization (IMO) convention on vessel source pollution. Leading international experts provide an authoritative analysis of the International Convention for the Prevention of Pollution from Ships 1973/78 and its subsidiary instruments, collectively known as MARPOL.

The Due Diligence in Maritime Transportation in the Technological Era Víctor Hugo Chacón, 2017-10-08 This book discusses the problem of sea carriers' liability, with a particular focus on role of the technologies that have been employed to support maritime transport in recent decades. It examines the Hague Rules, providing an overview of the precedent standard of liability, its historical development up until its application, and its construction at the current time. To do so, it presents

two exemplary studies from English and American case law, and analyzes the situations in which the courts have required the application of new technologies as part of the duties set in the current governing liability regime. Written in an easy-to-follow style, the book offers not only an unique overview of the applications of technologies in making ships both seaworthy and cargo-worthy, but also a practice-oriented guide to understanding and making decisions about sea carriers' liability. It is intended for law practitioners as well as advanced graduate students and researchers in the field of maritime shipping, transport and insurance law

LNG Offshore Production and Regasification Stuart Beadnall, John Simpson, Max Lemanski, 2025-04-23 This is the first book to focus on the law and practice relating to the production and delivery of liquified natural gas (LNG) using offshore floating facilities. This segment of the offshore oil and gas industry has been growing over recent years and has now assumed special importance in the wake of interruption to international gas supplies, with a number of countries turning to importing LNG through floating offshore regasification units in order to protect their energy security. The reader will gain a thorough understanding of the operational risks as far as these are relevant to contractual obligations and potential liabilities. The book draws on the relevant maritime and commercial law, applying this with specific focus on the requirements of offshore facilities liquefying, carrying and storing a cargo at -162°C , then regasifying and transferring the same onshore. The contracts relating to the operation of these facilities mirror some aspects of conventional LNG vessel charters but include important additional features specific to offshore LNG operations. The discharge of LNG from a sea-going vessel into a receiving floating, storage and regasification unit (FSRU) (and the storage and regasification of LNG into the receiving pipeline) may be problematic and lead to significant commercial consequences if there is underperformance. The allocation of related risks as between the LNG owner and the FSRU operator and other interested parties is analysed in this book. The authors also consider the specific legal issues pertaining to production of LNG offshore in a floating facility (FLNG), and the role of LNG as a transition fuel used to meet current low-carbon targets. This book will be invaluable to legal practitioners advising clients engaged in developing and operating offshore LNG projects, project managers and related insurers, financiers and commercial parties. It will also be of direct relevance to gas production, distribution and utility companies, and to maritime commercial centres.

Unlocking Contract Law Andy Vi-Ming Kok, Chris Turner, 2024-09-23 Contract Law is a core element of every law degree in England and Wales. Now in its 5th edition, Unlocking Contract Law will help you grasp the main concepts of the subject with ease. Containing accessible explanations in a clear and logical structure, the following features support learning, helping you to advance with confidence: • Clear learning outcomes at the beginning of each chapter set out the skills and knowledge you will need to get to grips with the subject; • Key Facts summaries throughout each chapter allow you to progressively build and consolidate your understanding; • End-of-chapter summaries provide a useful check-list for each

topic; • Cases and judgments are highlighted to help you find them and add them to your notes quickly; • Frequent activities and self-test questions and sample essay questions are included so you can put your knowledge into practice and prepare you for assessment; • A brand new 'critiquing the law' feature is designed to foster essential critical thinking skills. The 5th edition has been fully updated throughout to reflect recent developments and changes in the law, including the growing focus on consumer protection within contract law as well as the influence of technology on contracts, including email signatures and online transactions. Unlocking Contract Law is essential reading for all students studying Contract Law for the first time.

Commercial Law M. A. Clarke,R. J. A. Hooley,R. J. C. Munday,L. S. Sealy,P. G. Turner,A. M. Tettenborn,2017

Commercial Law: Text, Cases, and Materials provides students with an extensive and valuable range of extracts from key cases and writings in this most dynamic field of law. The authors' expert commentary and questions enliven each topic while emphasizing the practical application of the law in its business context. Len Sealy and Richard Hooley have been joined by four renowned experts in the field for the preparation of this edition. The authors have captured the essence of this fascinating topic at a time of significant legislative, regulatory, and political change.

Reinsuring Clauses Ozlem Gurses,2013-07-04 This book provides a comparative English/US law study of the operation of facultative reinsurance contracts. Most of the reinsurance litigation in England and the US has involved this type of contract, and there are regular arbitrations and judicial proceedings in the leading common law jurisdictions to which this book will be relevant. The book is concerned with: • The legal nature of reinsurance agreements • The means whereby terms of reinsurance policies can be derived or incorporated from underlying insurances • The effect on reinsurance of judgments, awards and settlements against the reinsured • The operation of claims provisions

Remedies in Construction Law Roger ter Haar,2017-06-14 Remedies in Construction Law brings together various well-established strands of the law and considers practical remedies for breach of contract and tort in connection with construction projects. Now in a fully updated second edition, it covers topics such as: Damages Termination Quantum Meruit Recovery Injunctions Limitation ADR This book continues to be a vital reference to lawyers and construction professionals seeking specialist insight into how remedies function in the construction sector.

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