

MODERN ADMIRALTY LAW



Aleka, Mandaraka-Sheppard

Modern Admiralty Law With Risk Management Aspects

Jürgen Basedow, Wolfgang Wurmnest



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Civil Liability for Bunker Oil Pollution Damage Dan Malika Gunasekera, 2010 This book deals with the liability conventions brought into existence by the International Maritime Organization and concentrates on the newly adopted instrument dealing with bunker oil pollution as an area of great concern for every stakeholder involved in shipping business The work covers a wide spectrum ranging from the Convention itself to its scope of application liable and aggrieved parties jurisdiction requirements of liability and admissibility of claims defences and exoneration from liability It addresses many areas of interest and of importance to international and national legal advisors lawyers law students and anyone interested in the relevant field such as shipowners charterers shipbrokers ship personnel and associated contractors and sub contractors

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General Average and Risk Management in Medieval and Early Modern Maritime Business Maria Fusaro, Andrea Addobbati, Luisa Piccinno, 2023-01-01 This open access book explores the history of risk management in medieval and early modern European maritime business focusing particularly on General Average a mechanism by which extraordinary expenses regarding ship or cargo incurred during a voyage to save the venture are shared between all participants to protect equity This volume traces the history of this risk management tool from its origins in the pre Roman Mediterranean through to its use in the shipping sector today Contributions range from the Islamic Mediterranean to the Low Countries and taken together provide a wide ranging analysis of social cultural and political aspects of pre modern maritime commerce in Europe

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The Arrest of Ships in Private International Law Verónica Ruiz Abou-Nigm, 2011-11-17 Analysing the arrest of ships in English and Scots law in the light of the international conventions in the field this book examines the protective security and jurisdictional functions of arrest within the three classical domains of private international law applicable law jurisdiction and the recognition and enforcement of foreign judgments Modern Maritime Law (Volume 1) Aleka Mandaraka-Sheppard, 2013-12-17 This unique title examines in depth issues of jurisdiction maritime law and practice from a modern perspective and highlights the importance of risk management with a view to avoiding pitfalls in litigation or arbitration and minimising exposure to liabilities The third edition has been fully revised and restructured into two self contained volumes the first covering jurisdictional issues and risks and the second exploring the diverse aspects of maritime law risks and liabilities The book continues to provide succinct analysis of the key principles and precedents of maritime law a detailed account of important decisions and incorporates developments in regulation Codes of good practice and international Conventions The first volume tackles a wealth of complex jurisdictional aspects ranging from the enforcement of maritime claims to a detailed analysis of the conditions of arrest of ships including reconsideration of wrongful arrest beneficial ownership forum non convenience and limitations upon the jurisdiction of the English courts Key features of Volume One Expert analysis of the very latest case law including noteworthy cases in international jurisdictions Highlights important recent changes and developments in piercing the corporate veil State immunity conflict of laws and jurisdictions

stay of proceedings for breach of jurisdiction or arbitration agreements issues arising from tiered dispute resolution clauses anti suit injunctions Timely examination of the EU jurisdiction scheme and the Review of the Brussels I Regulation New Chapter on Freezing Injunctions as compared with the US Rule B Attachment This book serves as an invaluable reference for lawyers academics and a host of shipping and risk management professionals worldwide Purchase Volumes 1 and 2 of the Modern Maritime Law together for a reduced price at <http://www.routledge.com/books/details/9780415843201> Modern Maritime Law (Volume 2) Aleka Mandaraka-Sheppard, 2013-12-17 This unique title examines in depth issues of jurisdiction maritime law and practice from a modern perspective and highlights the importance of risk management with a view to avoiding pitfalls in litigation or arbitration and minimising exposure to liabilities The third edition has been fully revised and restructured into two self contained volumes the first covering jurisdictional issues and risks and the second exploring the diverse aspects of maritime law risks and liabilities The second volume tackles the substantive maritime law with a particular emphasis on risk and liabilities and analyses issues of contract tort and criminal law causation and remoteness of damages Key features of Volume Two include An analysis of the regulatory regime new EU and IMO safety at sea legislation reforming practices for flag states and recognised organisations vetting codes of good practice and International Conventions An explanation of the Rules of attribution of liability the impact of the ISM Code upon liabilities including criminal corporate manslaughter and the new Directive for ship source pollution Important developments in areas including Ship managing risks best endeavours and fiduciary duties Mortgagees risks and economic torts New BIMCO standard terms of contracts Ship sale risks including sale as is and as she was Shipbuilding risks guarantees and performance bonds New trends on wrongful acts of employees collisions and measure of damages salvage issues environmental salvage and towage contracts Piracy risks cases and general average New perspectives on risks and liabilities of port authorities Pollution liabilities including trends of prosecution of class societies and charterers and new limits of liability under International Conventions Purchase Volumes 1 and 2 of the Modern Maritime Law together for a reduced price at <http://www.routledge.com/books/details/9780415843201> Modern Maritime Law (Volume 1) Aleka Mandaraka-Sheppard, 2013-12-17 This unique title examines in depth issues of jurisdiction maritime law and practice from a modern perspective and highlights the importance of risk management with a view to avoiding pitfalls in litigation or arbitration and minimising exposure to liabilities The third edition has been fully revised and restructured into two self contained volumes the first covering jurisdictional issues and risks and the second exploring the diverse aspects of maritime law risks and liabilities The book continues to provide succinct analysis of the key principles and precedents of maritime law a detailed account of important decisions and incorporates developments in regulation Codes of good practice and international Conventions The first volume tackles a wealth of complex jurisdictional aspects ranging from the enforcement of maritime claims to a detailed analysis of the conditions of arrest of ships including reconsideration of wrongful arrest beneficial ownership forum non conveniens and limitations upon

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Basedow, Wolfgang Wurmnest, 2006-03-30 Classification societies are charged with the technical supervision of maritime shipping to enhance the safety of life and property at sea by securing high technical standards of design manufacture construction and maintenance of seagoing vessels Each and every shipping catastrophe caused by a technical defect reminds the maritime world of the central importance of the vessel's proper technical supervision Correspondingly the liability of classification societies has become a particularly discussed issue over the past years Their contractual liability is usually limited by general terms and conditions incorporated in the classification rules and cases brought by typical contracting partners of classification societies such as ship owners and ship yards are not an issue in the current debate However one can note a substantial worldwide increase of actions brought by parties who are not in privity with classification societies This study focuses on third party liability of classification societies It originates in an expert opinion on selected issues relating to third party liability which the authors compiled for the German classification society Germanischer Lloyd AG Driven by the highly interesting legal issues and unexplored shores in this area of law we continued our research and are able to present a relatively comprehensive overview on the law on third party liability of classification societies Given the origins of our work the discussion of limitations of liability clauses is based on the standard terms and conditions of the Germanischer Lloyd version 2005 **The (New) Law of Maritime Safety: ship, states, conventions and their autonomy - 2nd Edition** Duarte

Lynce Faria, 2023-10-10 This diachronic overview of the Maritime Safety Law is aimed at all readers and researchers interested in the maritime port sector whether they are law specialists or not The book begins with a summary of the leading institutes of maritime law including the regime of the Ship moves on to the main international instruments of maritime safety and ends with the climate change challenges facing the sector The international community is engaged in the fight against climate change Despite COP 26 being sparse in measures the European Union is foreseeing a revision of the Emissions Trading Directive which integrates the Fit for 55 acquis on climate and energy reform that will force the maritime industry to regenerate and adopt new renewable fuels and emission limits It will allow readers to look at the changes in the subject giving them a taste of its normative acquis to navigate in time and to look to the future This English edition includes several

updates about energy transition with a particular reference to the COP27 held in Sharm el Sheikh in Egypt

El practicaaje

Zurutuza Arigita, Iñaki, 2013-01-01 Es el practicaaje una instituci n de la navegaci n mar timo portuaria que tiene una fundamental incidencia en la exitosa ejecuci n del transporte mar timo As su importancia radica en su configuraci n como un servicio portuario que se presta para preservar la seguridad mar tima pero tambi n en que se trata de un contrato auxiliar de la navegaci n que coadyuva al normal desarrollo de la actividad econ mica del naviero Cuestiones tales como las formas de gesti n del servicio de practicaaje la naturaleza jur dica de ste el alcance de la obligaci n asumida por el pr ctico con quien contrata este servicio el naviero y por tanto la naturaleza jur dica del contrato de practicaaje o la responsabilidad civil derivada del practicaaje representan entre otros algunos de los temas m s relevantes a la hora de estudiar la instituci n En este contexto el libro aparece estructurado en cinco Cap tulos El primero est destinado al estudio de los antecedentes hist ricos y al an lisis del marco normativo del practicaaje tanto en Espa a como en los principales pa ses del entorno A continuaci n los tres Cap tulos siguientes tratan respectivamente del estatuto jur dico del pr ctico del servicio de practicaaje y del contrato de practicaaje Finalmente el quinto y ltimo Cap tulo se ocupa de la responsabilidad civil derivada del practicaaje incluyendo el examen tanto de los supuestos de responsabilidad contractual del pr ctico frente al naviero y viceversa como de los supuestos de responsabilidad extracontractual y tambi n del estudio de la acci n de repetici n del naviero frente al pr ctico y de la limitaci n de la responsabilidad de ste

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