



# ICM

DECEMBER 2016

MARITIME LAW

**Instructions to candidates:**

- a) Time allowed: Three hours (plus an extra ten minutes' reading time at the start – do not write anything during this time)
  - b) Answer any FIVE questions
  - c) All questions carry equal marks. Marks for each question are shown in [ ]
1. Identify and explain any FOUR elements covered under Article 19, 'liability of maritime performing parties', of the Rotterdam Rules 2004. [20]
  2. Using appropriate case law, explain what 'or so near thereto as she may safely get' means. [20]
  3. What is your understanding of the following:
    - a) Arrived ship
    - b) Negligence
    - c) Demise charter party
    - d) Delivery order [20]
  4. List and comment on any FIVE occasions when it is possible to serve an 'in personum' claim form on a person outside England. [20]
  5. Write notes on the following contractual exemptions to be found in the standard charter forms:
    - a) Deviation
    - b) Perils of sea
    - c) Insufficiency of packing
    - d) Act of God [20]
  6. 'Weather working day' is the most common laytime definition in voyage charters and involves the consideration of two issues. Using appropriate case law, explain what these TWO issues are. [20]
  7. What is a '**delivery order**' and under what circumstances can it be used? [20]
  8. What advice would you give a master of one of your vessels seeking guidance on the procedure of general average? [20]