



ICM

JUNE 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 []
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1. Discuss the obligation to nominate a 'safe port' and the factors you would consider in doing so. [20]
 2. Why is arbitration seen as an alternative to court? [20]
 3. Review the fundamental principles of a bill of lading. [20]
 4. A vessel has suffered heavy weather damage during her voyage and has made for a port of refuge where the Master has been instructed to declare 'general average' for the losses incurred due to the weather.
 - a) Briefly explain what is meant by the term **general average**. [6]
 - b) What advice would you give the Master for declaring general average? [14]
 5. Explain the following in relation to agency:
 - a) Duties of an agent [10]
 - b) Agent of necessity [4]
 - c) Duties of the principal [6]
 6. In a NYPE form there is an implied obligation to provide a seaworthy vessel. Explain what this is and the nature of the obligation to provide a seaworthy vessel. [20]
 7. What is your understanding of the following?
 - a) Limitation liability
 - b) Seaway bill
 - c) Act of God
 - d) Damages [5 each]
 8.
 - a) Explain the term **frustration**. [5]
 - b) Describe THREE examples where frustration can occur. [15]