



INSTITUTE OF  
CHARTERED  
SHIPBROKERS

NOVEMBER 2024 EXAMINATION SESSION  
TUESDAY 12<sup>TH</sup> NOVEMBER 2024 – MORNING

## LEGAL PRINCIPLES IN SHIPPING BUSINESS

Time allowed – three hours

Answer any FIVE questions – all questions carry equal marks

Please read the questions carefully before answering

1. Answer **ALL** parts of the question.

With respect to Bills of Lading issued within the context of carriage of goods by sea, discuss the following:

- a) Clean Bill of Lading
- b) Lien Clause
- c) “House” Bill of Lading

2. Answer **ALL** parts of the question.

With respect to voyage charterparties discuss:

- a) Safe port Warranty
- b) Arrived Ship
- c) Dead Freight

3. Answer **BOTH** parts of the question.

- a) Describe the court structure in England & Wales
- b) Explain the sources of English Law

4. Briefly describe voyage charters, time charters and demise charters and discuss the main differences between them.

**PLEASE TURN OVER.**

5. Answer **ALL** parts of the question.

In the context of law of Contract and Tort pursuant to English Law, discuss the following:

- a) Policy Issue regarding “Pure Economic Loss” in Tort
  - b) Tort of Defamation
  - c) Innominate Terms in Law of Contract
6. A vessel is time chartered for twelve months. The charter is running into the 10<sup>th</sup> month. The vessel arrived at the load port of Cochin in India to load a cargo for the discharge port of Duqm in Oman. A bill of lading was issued at Cochin that contained a Clause Paramount. A few days into the voyage, the vessel experienced frequent problems with the breakdown of the main engine. The vessel was towed to Mumbai in India, where vessel was repaired. It took 35 days to complete the repairs. After the discharge of cargo at Duqm, the time charterers instructed the vessel to proceed to Portugal to load a cargo for port of discharge in Brazil.

Identify the legal issues arising from this scenario in the context of the bill of lading and the time charterparty.

7. “The duties owed by agents to their principals may or may not be dictated by the express terms of the agency agreement”.

Explain the duties of agents in the context of this statement.

8. A vessel departing from the load port of Mombasa (Kenya) collided with an inbound vessel. The vessel’s hull was breached and because of this breach, the vessel began to list to starboard. The master decided to jettison the cargo to save the vessel and remaining cargo. Thereafter, the vessel went back to Mombasa for repairs and huge expenses were incurred.

Identify and discuss the legal issues from this scenario.