



APPLIES TO ACADEMIC YEAR 2015/2016

FAK 2803 Maritime Law and Insurance

Programme

Bachelor of Management, Banking and Insurance, Single courses

Responsible for the course

Morten Lund

Department

Department of Law

Term

According to study plan

ECTS Credits

7,5

Language of instruction

English

Introduction

The course covers an introduction to International Maritime Law, and the rules applicable to the Owner's and Charterer's liabilities in connection with the operation of the vessel. International conventions relating to liabilities and limitation of liability will be covered. Relevant contracts used in Maritime Law and Marine insurance is covered, and illustrates the division of liabilities and rights between the parties and how this affects the insurance covers. The course covers liabilities in contracts and in tort, as well as the rules relation to limitation of liability. The course examines the Owners's and Charterer's insurable interests in the vessel, and the marine insurance covers available to cover these interests, and the markets in which the covers are available. The focal point is the Nordic market and covers, but makes a comparison to the English market and relevant covers. Since shipping is international and the rules largely based on international conventions, these will be referred to in an international context.

Learning outcome

Acquired knowledge

The course will provide the students with an understanding of commercial practices as well as the legislative and contractual framework of international shipping, and how it impacts insurance covers and marine insurance. The importance of national law and international conventions is covered, as well as common contracts and terms. The shipowners legal and contractual liabilities with respect to ship registration, and legal liabilities, and the students will learn about these liabilities, and how to insure them in the international marine insurance markets. The students will be able to identify liabilities in contract and in tort, determine jurisdiction and applicable law, and decide on relevant insurance covers. The students will understand the owner's capital and income interests in his vessel as well as being able to identify and assess potential legal liabilities in contract and in tort. The students will also know how marine risks are assessed, and how the premium is calculated.

Acquired skills

- The students will acquire an understanding of laws and contracts and insurance conditions applicable to international shipping and marine insurance covers, and be able to identify and apply these with respect to:
- Shipowners liabilities to cargo, passengers and the environment
- Liability for collisions and salvage
- Limitation rules impacting insurance covers and legal liabilities
- Insurance covers and markets in which they can be obtained

The students will also be able to seek relevant insurance covers, and to compare covers from different international insurance markets. They will be able to apply relevant covers for H&M insurance, P&I insurance, War risk covers, Loss of Hire and TLO insurances to practical cases.

Reflection

The students will be able to identify and assess the shipowners, charterers and other third parties potential legal liabilities in connection with the owning and operation of the vessel. This knowledge will enable them to focus on elimination of risk, environmental shipping and damage control through a better operation, better and more efficient

insurance covers, and a focus on mitigation and loss prevention. When approaching different contracts for the deployment of ships, and insurance conditions, the knowledge gained will give the students a better basis for evaluating potential risks and costs.

Prerequisites

None.

Compulsory reading**Books:**

Falkanger, Thor, Hans Jacob Bull, Lasse Brautaset. 2011. Scandinavian maritime law : the Norwegian perspective. 3rd ed. Universitetsforlaget. (Norwegian edition: "Innføring i sjørett") Tidligere utg. med tittel: Introduction to maritime law

Other:

CEFOR - The Nordic Association of Marine Insurers. 2013. The Nordic Marine Insurance Plan 2013. CEFOR. Del I-III
Handouts

Recommended reading**Books:**

Gold, Edgar. 2002. Gard handbook on P&I insurance. 5th ed. Assuranceforeningen Gard

Other:

CEFO. 2013. The Commentary to the Nordic Marine Insurance Plan. CEFOR
Selected articles

Course outline

The course will introduce students to the role of maritime transport in international trade and to the importance of international law and its impact on shipping. Including:

- International Maritime Law
- International Conventions
- Ship registration, national flags and "flags of convenience"
- Standard contracts and forms
- Ship owners liabilities in contract and tort
- Carriers liability for cargo and passengers
- Liability for oil pollution
- Salvage and collision
- Limitation rules
- Maritime Liens

The course will also examine the following:

- The main marine insurance markets
- The ship owners and charterers insurable interests
- Norwegian and English covers
- Hull and Machinery Insurance
- P&I Insurance
- TLO insurances
- Third party insurances

Computer-based tools

No specific computer based tool are required.

Learning process and workload

The course is conducted through a total of 45 hours of lectures and case work. As a part of lessons students must hand in a paper. Some of the questions at the final exam will be based on theoretical topics from the paper.

The following is an indication of the time required:

Activity	Hours
Lectures	33
Case work	6
Review of case work and discussions	6
Preparation for lectures	75
Exam preparation	80
Total recommended time use	200

Examination

A three hour individual written exam concludes the course.

Examination code(s)

FAK 28031 - Written exam, counts for 100% of the final grade.

Examination support materials

All support materials allowed including BI approved exam calculator. Examination support materials at written examinations are explained under examination information in the student portal @bi. Please note use of calculator and dictionary in the section on support materials (https://at.bi.no/EN/Pages/Exa_Hjelpemidler-til-eksamen.aspx).

Re-sit examination

A re-sit exam is offered at the next scheduled course.

Additional information