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In this thesis, piracy is discussed in a private law perspective as an event that effects the contractual relations between the shipowners and the charterers. Under time charterparties, the risk of any delay is on the charterer while the shipowner bears that risk under voyage charterparties.

PIRACY AND ITS EFFECTS ON CHARTERPARTY CONTRACTS

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Specialist Piracy Clauses setting out party rights and obligations in response to piracy risks were first issued in 2009. Three provisions were drafted respectively for time charter parties, consecutive voyage charters/COAs and single voyage charters. However, following a recent court case, changing trade practices, the need for clarifying charterers' liabilities after a vessel is released ...

Piracy Clause for Time Charter Parties 2013

BIMCO Piracy Clause for Time Charter Parties 2009 (a) The Vessel shall not be obliged to proceed or required to continue to or through, any port, place, area or zone, or any waterway or canal (hereinafter "Area") which, in the reasonable judgement of the Master and/or the Owners, is dangerous to the Vessel, her cargo, crew or other persons on board the Vessel due to any actual, threatened ...

Until recently there were very few charterparty cases involving piracy. This changed with the recent spate of attacks off the coast of Somalia. This book centres on eight recent piracy cases, all but two of which arise from Somali attacks. In none of the charterparty cases was provision made explicitly for piracy, and possibly no thought was given to piracy, when the relevant clauses were drawn up or agreed. The consequence has been effectively to make the outcomes a matter of chance. On no basis can this be desirable. The cases demonstrate the need for charterparties to make explicit provision for piracy. The cases fall into three groups, cases where cargo is delayed or damaged due to capture, those involving off-hire, and those involving war clauses. Though the book centres on the recent cases, it also examines the general law that they apply. It discusses recent initiatives, also arising from the Somali attacks, by BIMCO and INTERTANKO, to draft charterparty clauses specifically dealing with piracy, including BIMCO's 2013 revisions. The Somali episode seems to be over, but it leaves a legacy for the development of the law, and for the drafting of charterparty clauses for the future. Paul Todd has been teaching law for nearly 38 years, and is a Professor of Commercial and Maritime Law at the University of Southampton.

The main focus of this book is the impact of maritime fraud on contracts for sale and carriage, documentary credits and marine insurance. It covers all varieties of maritime fraud, from the most serious downwards, describing the methods employed and the risks to traders and carriers. At the serious end of the spectrum, pirates capture an entire ship, often murdering the entire crew, in order to sell the cargo (to which of course they have no title), later to use the "innocent" ship to pose as innocent traders. Less serious (but perhaps of greater interest to lawyers) are misdescriptions of cargo in, or backdating of, bills of lading, and other deceptions, usually practised on purchasers and banks.

Principles of the Carriage of Goods by Sea offers students studying this topic as part of their LLM or LLB course an accessible, comprehensive overview of the subject from a leading expert in the field. Written specifically with students in mind, concentrating on principles, and tailored to common law coverage, this title presents all the essential topics and is supported by the following useful pedagogy: Line Diagrams: illustrating the relationships between parties so that this may be understood at a glance; also where appropriate, time lines Case Studies: looking at topical matters such as piracy, and problematic

areas of law such as reachable on arrival clauses and the carriage of bulk oil by sea Sample Problem Questions: problem questions and suggestions to help students to prepare for assessment Annotated appendices: concise appendix of the most important legislation and international conventions, with useful annotation from the author that explains these and puts them in context

This book consists of edited versions of the papers delivered at the Institute of International Shipping and Trade Law's 12th International Colloquium at Swansea Law School in September 2016. Featuring a team of contributors at the top of their profession, both in practice and academia, these papers have been carefully co-ordinated so as to ensure to give the reader a first class insight into the issues surrounding charterparties. The book is set out in three parts. -Part I offers a detailed and critical analysis of issues of contemporary importance concerning time charters. -Part 2 carries out a similar analysis with regard to voyage charterparties. -Part 3 deliberates issues common to both type of charterparties. Offering critical analysis of contemporary legal issues on charterparty contracts, this book considers recent legal and practical developments and is therefore essential reading for both professional and academic readers with an interest in charterparties.

Bills of lading form an essential part of the carriage of goods by sea and international trade. Their multi-functional nature, together with the large volume of case law and regulation, make the law in this field as complex as it is commercially vital. This bestselling book, now in its third edition, provides a detailed analysis of the law and practice applicable to bills of lading before, during, and after shipment, helping today's busy practitioner to quickly and easily find the information they need. This book has been fully revised and updated with all the major developments, including: reference to increasingly important Singapore and Far-Eastern decisions; an analysis of modern developments in seaworthiness, from vetting and approval clauses to the topical issues of vulnerability and piracy attacks; detailed examination of misdelivery, fraudulent or forged bills of lading, and delivery without production of a bill of lading; revised coverage of conflicts and procedural matters, including anti-suit injunctions, jurisdiction battles, and the scope of arbitration; reference to relevant European law relating to issues of jurisdiction and procedure; comprehensive treatment of switch bills, transshipment, house bills, deck carriage, and container cargo; and new material on the practical implications of electronic bills of lading, and the implications of automated vessels. This text continues to provide an indispensable reference for maritime practitioners and institutions worldwide.

Legal Issues Relating to Time Charterparties addresses all the major questions and issues that arise in connection with time charterparties, examining them in a logical manner, progressively tracing the subject from the creation to the termination of the contract. All the salient legal aspects of time charterparties are examined, with the law analysed in its commercial context, particularly in relation to the various ways in which time charterparties may be used in shipping and international trade.

The Commercial Shipping Handbook is an invaluable reference tool for anyone involved in international trade and a first step towards understanding the framework within which the international movement of goods by sea is conducted. The handbook gives concise explanations of the many activities that comprise shipping, explaining the terms and how they interrelate. Areas covered include: Documents used in international transport by sea e.g. the bill of lading and the charter-party – what they contain, the different types and examples of each Generic types of ships, cargoes, containers and ports Details of all the major maritime associations prominent in contract drafting and policy making, together with a brief explanation of their objectives The many extra costs and surcharges found in shipping, particularly in liner shipping Chartering terms, an explanation of each and their context Clauses appearing in bills of lading, in voyage charters and time charters Technical elements of shipping as they relate to the commercial operation of ships, for example tides and draughts Examples of principal documents Discussing over 1250 commercial shipping terms, this book will be an essential reference for all shipowners, charterers, managers and brokers and will also be of use to legal, insurance and banking professionals.

ÔA number of books dealing with piracy have been published in recent years. This book stands out by the breadth of its coverage, which, unusually and much to be welcomed, includes detailed consideration of both public and private law. The book is also notable for the quality and range of expertise of its contributors, who are not only leading experts in the field but a mixture of academic and practising lawyers. Ò Æ Robin Churchill, The University of Dundee, UK ÔPiracy once again is posing serious threats to international trade, navigation and, of course, to the safety of seafarers. This collection of outstanding essays by outstanding scholars and practitioners examines the background to the re-emergence of piracy in South Asia, East and West Africa and explores the complex legal and practical challenges which crafting effective responses has presented. It is, quite simply, essential reading for anyone who is seriously interested in understanding and responding to one of the most pressing problems of our time. Ò Æ Malcolm Evans, University of Bristol, UK Modern Piracy is the first book to survey the law of maritime piracy from both public law and commercial law perspectives, as well as providing a contextual overview of piracy in major hotspots. Topics covered include issues of international law, law-enforcement cooperation, private armed security, ransoms, insurance and carriage of goods by sea. It provides a comprehensive introduction to the range of legal issues presented by the modern piracy menace and will be of interest to scholars and practitioners alike. Benefiting from a wide range of international expertise, this book will be of interest to public international law academics, government legal counsel, maritime commercial law practitioners, international relations academics as well as anyone interested in transnational organised crime.