

MALCOLM ALISTAIR CLARKE

ASPECTS OF THE HAGUE RULES

A COMPARATIVE STUDY IN
ENGLISH AND FRENCH LAW



MARTINUS NIJHOFF - THE HAGUE

Aspects Of The Hague Rules A Comparative Study In English And French Law

Albert A Gayle



Aspects Of The Hague Rules A Comparative Study In English And French Law:

Aspects of the Hague Rules Malcolm Alistair Clarke, 2013-12-01 It has been estimated that four fifths of an carriage of goods by sea are governed by the Hague Rules properly known as the Convention for the Unification of Certain Rules Relating to Bills of Lading signed at Brussels in 1924 The success of the Convention is well recognised Its importance is self evident and such that notwithstanding its success it has been the subject of regular scrutiny with a view to improvement and reform Attention has focussed on various matters among them two central provisions which are the subject of this book First to be considered is article X concerning the legal scope of the Convention to which contracts for carriage under bills of lading does the Convention apply This question has caused much trouble was debated by the C M 1 for twenty years and was apparently settled by a new Convention signed at Brussels in 1968 but the solution may never come into force as the entire Convention is currently being considered by the United Nations with a view to reform of a different kind The second part of the book examines one of the fundamental duties in the Convention The ultimate duties of the carrier are duties of due diligence diligence in caring for cargo and diligence in preparing his ship for sea It is the latter duty that has been selected for detailed study

Aspects of the Hague Rules Malcolm Alistair Clarke (Rechtswissenschaftler, Grossbritannien.), 1976

Basic Documents on International Trade Law Chia-Jui Cheng, 2012-04-27 Anyone involved in trade law knows the time consuming nature of obtaining primary source material and consulting each of the main trade laws Now in its fourth edition Basic Documents in International Trade Law solves this problem by assembling in a single easy to use resource a very comprehensive collection of the most important and frequently used documents on the law of international trade In addition to its obvious practical value this work reveals much about the process of harmonization in international trade law and the operation of the key international trade bodies This makes the book a helpful reference for international business lawyers researchers legislators and government officials in the field Since the successful publication of the previous editions of the book the appearance of new conventions and model laws has considerably enriched the law of international trade and the present edition contains a wealth of new material The book has been substantially revised and several new instruments have been included Among the most significantly important improvements to this new edition are new chapters added to different parts of the book a redesigned and thoroughly revised Part 6 reflecting the expansion of intellectual property rights under the framework of treaties administered by World Intellectual Property Organization and bibliographies and other research resources updated and enlarged to include an extraordinarily rich collection of books and articles in many trading languages besides English including for the first time major Chinese works in the international trade law field As the late Prof Clive M Schmitthoff commented on the first edition the book is not only of practical usefulness but has also considerable jurisprudential value and reveals the methodology of the harmonization process in the area of international trade law The International Business Lawyer first commented in 1987 that the book can only be described as a vade mecum for every

international business lawyer an assessment that now seems more merited than ever

Serving the Rule of International Maritime Law Norman A. Martínez Gutiérrez, 2009-12-16 International maritime law is far from inert everyday international affairs constantly test existing law and in many occasions require its development Serving the Rule of International Maritime Law is thus not limited to a description of the current state of the law but contains innovative studies on current issues and events that are testing the present state of international maritime law The book is intended as a Liber Amicorum to Professor David Joseph Attard It celebrates his career in international law he played a crucial role in establishing the IMO International Maritime Law Institute in 1988 the main purpose of which is to train lawyers in private and public international maritime law Over the last twenty years he has continued to teach at the Institute and has played an important role in contributing to the work of international fora concerned with the development of international law This work represents a close collaboration amongst practitioners and academics involved in the field of international maritime law including IMO Secretary General Efthimios E Mitropoulos Judge Helmut Tuerk Professor Francis Reynolds Q C and Patrick J S Griggs CBE Part I contains general articles in international maritime law Part II is dedicated to the law of the sea and Part III is devoted to issues on shipping law Serving the Rule of International Maritime Law is of great interest to professionals in the shipping industry as well as practitioners academics and students

The Due Diligence in Maritime Transportation in the Technological Era Víctor Hugo Chacón, 2017-10-08 This book discusses the problem of sea carriers liability with a particular focus on role of the technologies that have been employed to support maritime transport in recent decades It examines the Hague Rules providing an overview of the precedent standard of liability its historical development up until its application and its construction at the current time To do so it presents two exemplary studies from English and American case law and analyzes the situations in which the courts have required the application of new technologies as part of the duties set in the current governing liability regime Written in an easy to follow style the book offers not only a unique overview of the applications of technologies in making ships both seaworthy and cargo worthy but also a practice oriented guide to understanding and making decisions about sea carriers liability It is intended for law practitioners as well as advanced graduate students and researchers in the field of maritime shipping transport and insurance law

Principles of International Trade Law as a Monistic System Hercules Booysen, 2003

The Comparative and International Law Journal of Southern Africa , 1992

The Carriage of Dangerous Goods by Sea Meltem Deniz Güner-Özbek, 2007-11-09 Ever increasing numbers of dangerous goods are carried by sea today Worldwide concern with the risk posed by this increased frequency has led to the adoption of international technical standards to promote maritime safety and the insertion of special provisions in the carriage contracts Moreover growing environmental awareness and concern with the economic cost implications of maritime casualties have given rise to the regulation of liability and compensation

Multiparty and Linked Contracts, Transport Logistics and the Uniform Transport Law Marta K. Kołacz, 2024-12-11 This book

introduces legal aspects of business networks in logistics with the example of shippers co operation in cargo bundling which is the practice of manufacturing and distributing companies shippers consolidating cargo before the engagement of a carrier Shippers agree to co operate and to detect cargo matching opportunities before shipment As a result shippers can organize joint transportation yielding significant efficiency gains in both logistics and sustainability terms However the current legal framework is not adapted to co operation in cargo bundling This book not only clarifies the operation of laws with the special focus on international uniform transport laws but also provides legal solutions facilitating legal certainty in co operation It is the first comprehensive book on the legal aspects of shippers co operation in logistics particularly liability issues in multiparty contracts network contracts and long term contracts in the international carriage of goods domain It is also the first providing an interpretative framework for transport conventions considering new business models and new technologies Proposals are made for solutions at regulatory levels but also for contracts which are especially important because contractual solutions can facilitate shippers to enter co operation and help transport orchestrators operating through online platforms to prepare standard terms and conditions The comparative part of the text features three jurisdictions Poland Germany and England which offer readers an insight into how multiparty context in the carriage of goods operates at the crossroads of national laws and international transport conventions This book is written for interested legal practitioners policymakers lobbying bodies industry professionals logistics management of selling and producing companies and scholars It will also broadly appeal to those dealing with sustainable logistics and concepts such as sharing economy in logistics

Law Books in Print: Title index Glanville Publishers, Incorporated, 1997

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