

**SUBJECT : MARITIME LAW ( H. C. -5)**  
**SUBJECT CODE: H3JK**

**Unit - I:      **Introductory Elements****

Nature of Admiralty Law: Admiralty Law in relation to public and private international law – admiralty law as a part of law merchant – admiralty law in relation to common law and civil law – admiralty law as the Common law of the sea – Sources of maritime law and admiralty law.

**Unit - II: **Maritime Boundary and Delimitation****

History of admiralty law in England, other parts of the world and in India – History of admiralty jurisdiction of High Courts of India – admiralty courts – immunity of Government ships.

**UNIT - III: **Admiralty Jurisdiction and the mode of exercise****

Admiralty and maritime jurisdiction (scope and extent) – Enforcement of maritime claims by actions in rem and in personam – juridical personality of the ship – maritime liens and priorities. Jurisdiction in matters of collision – Extra territorial jurisdiction – Changing concept of maritime frontiers. International waters; Territorial Waters; Contiguous Zone; EEZ; Continental shelf; International straits; archipelagos; international fisheries; High seas; Conservation and exploitation of maritime sources; Sea as a common heritage of mankind – Role of IMO – Piracy and hot pursuits.

**UNIT - IV: **Ownership and management of ships****

The ship as property – ownership – registration – flag of convenience – ship construction rules – acquisition of ships – transfer of ships –negotiation and contract – terms of contract – inspection by buyer – ship mortgages – ship's sale and purchase. Arrest of sea going ships – ISM and issues of safety.

## **UNIT - V: Safety and Security at Sea**

Safety & security regulations at sea and in port, accidents, collisions, salvage, towage – The laws of harbours and pilot age – Jurisdiction in maritime ports; Access to maritime ports; Indian law – The maritime zones Act 1976; civil and criminal jurisdiction over ships; Ship owner's liabilities for damage to ports – Limitation of ship owner's liability.

### **Suggested Readings:**

1. Aleka Mandaraka – Sheppard – Modern Maritime Law (Second Edition) (2009)
2. D.C. Jackson, Enforcement of Maritime Claims, London: LLP (2005)
3. Southampton on Shipping Law, Informa (2008)
4. Halsbury's Laws of England, 4<sup>th</sup> Edn, London (1983)
5. Marsden, Collisions at Sea, London (1961)
6. Francis D. Rose, The Modern Law of Pilotage, London 1984)
7. Geoffrey Brice, Maritime Law of Salvage, London (1983)
8. Chorly and Giles, Shipping Law, 6<sup>th</sup> Edn. London
9. Kochu Thommen, International Legislation on Shipping, U.N. New York (1968)
10. Samareshwar Mahanty, Maritime Jurisdiction and Admiralty Law in India, Universal Publishing (2009)

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