

MARINE CARGO INSURANCE

SECOND EDITION

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John Schofield



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Marine Cargo Insurance John Dunt, 2015-11-19 The new edition of this British Insurance Law Association BILA award winning text is the definitive reference source for marine cargo insurance law Written by an author who was closely involved with the revisions to the Institute Cargo Clauses 2009 the work expertly examines marine cargo insurance by reference to important English and foreign legal cases as well as the Marine Insurance Act 1906 Logically arranged to reflect the structure of the Institute Cargo Clauses the most widely used standard form of cover this text offers easy to find solutions for today's busy practitioner New to this edition Completely revised to include the Insurance Act 2015 duty of fair presentation warranties fraudulent claims Brand new chapter on the revised Institute Ancillary and Trade Clauses including those to be introduced on 1 November 2015 Increased coverage of jurisdiction and choice of law particularly taking into account the Rome I Regulation Enhanced coverage of the issue of Constructive Total Loss Consideration of the Law Reform Commission's proposals for the reform of insurance law and further amendments to the Marine Insurance Act 1906 Covers latest developments in the Enterprise Bill for damages for late payment of claims Fully updated with all of the influential cases since 2009 including The Cendor MOPU one of the most important marine insurance cases of the last 50 years Clothing Management v Beazley Solutions Notable hull cases such as Versloot Dredging v HDI Gerling on fraudulent devices Influential foreign cases taken from this book's sister text International Cargo Insurance This unique text is a one stop resource for marine insurance lawyers handling cargo claims and will also be of interest to students and researchers of maritime law

Marine Insurance Legislation Robert Merkin, 2013-07-04 This fourth edition of Marine Insurance Legislation is a comprehensive and fully updated annotation of the UK's Marine Insurance Act 1906 setting out the authorities on which the legislation was based and the manner in which the legislation has been construed with cross references to the Institute Clauses The book sets out the text of English Marine insurance legislation and the most important of the market clauses the Institute Clauses used in respect of Marine policies written in the London Market The legislation is heavily annotated with the operation of each section of the Marine Insurance Act 1906 explained and references are given to the most important of the early cases upon which the sections are based There is also comprehensive annotation and explanation of cases decided under the sections of the 1906 Act with cross references to the Institute Clauses Key developments in this fourth edition include the introduction of the new Cargo Clauses in January 2009

The Law of Shipbuilding Contracts Simon Curtis, 2014-04-03 This is the leading text on shipbuilding and marine construction already widely used on a global basis by shipowners shipbuilders and their commercial and legal advisers It is now ten years since the last edition and much has changed in the world of shipbuilding since then particularly in the period since 2008 which has seen numerous attempts by owners to renegotiate the prices and or delivery dates of tonnage and an enormous increase in the level of vessel rejection and cancellation disputes The Law of Shipbuilding Contracts examines the principles of English

contract law as these apply to shipbuilding This edition comments in detail upon the Shipbuilders Association of Japan Form but now contrasts this with the NEWBUILDCON from BIMCO in 2007 and the China Maritime Arbitration Commission Forms from 2011 where these are significantly different It also includes sections dealing with agreements ancillary to the shipbuilding contract and conversion contracts Overview of book Since the last edition in 2002 China has become a major global exporter of newbuildings and new BIMCO shipbuilding contract form has been published Although retaining the original format of commentary on the Japanese SAJ standard form shipbuilding contract the new edition contrasts this with the BIMCO form and the recently published China Maritime Arbitration Commission CMAC form in order to provide a broad ranging analysis of this complex subject The book details the principles of English contract law as these apply to international shipbuilding It will as in the previous editions also include sections dealing with the guarantees and other agreements which support the shipbuilding contract and with ship conversion contracts Essential reading for Purchasers and charterers of newbuilding tonnage Shipbuilders and offshore construction yards Lawyers and insurers working in the maritime and offshore oil and gas sectors Banks and other finance providers

Bills of Lading Sir Richard Aikens, Richard Lord QC, Michael Bools QC, Michael Bolding, Kian Sing Toh SC, 2020-12-23 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

Maritime Letters of Indemnity Felipe Arizon, David Semark, 2014-05-23 This unique new title provides expert hands on advice as to the law and practice of the maritime letter of indemnity Detailing the variety of implications that can arise from each type of letter the authors bring this important and litigious subject to the fore with a view to reducing the commercial and legal risks involved in this core area of shipping and international trade Key features of this title include detailed legal analysis of The history of indemnity contracts and letters of indemnity Shipping and international trade contexts where letters of indemnity are used GAFTA sale contract

forms and standard letter of indemnity P I Clubs forms The enforceability of maritime letters of indemnity The rights and liabilities for sellers buyers banks and ship owners which arise from the use of letters of indemnity The impact on the system based on the use of bills of lading and on electronic bills of lading Policy issues arising from the use of letters of indemnity in practice and of the practicalities of litigation involving letters of indemnity As the only text currently on the market covering maritime letters of indemnity in such detail this book will be an indispensable guide for maritime lawyers professionals and academics alike as well as shipowners charterers commodity traders and trade finance professionals

Laytime and Demurrage John Schofield, 2021-09-21 Laytime and Demurrage is the leading authority for all queries pertaining to this vital aspect of maritime law It has continued to offer reliable authoritative and in depth analysis since the first edition published in 1986 Praised for its unrivalled coverage and lucid writing style this book provides a comprehensive overview of all aspects of laytime and demurrage tracing the development of the law from its origins in the nineteenth century right up to the present day The author delivers an in depth analysis of both fixed and customary laytime clauses the rules relating to commencement of laytime in berth dock and port charters and discusses under which circumstances laytime can be suspended Furthermore it analyses demurrage rules and vital issues such as despatch detention and frustration This eighth edition includes all key judicial and arbitral decisions reported since the seventh edition published in 2016 It also covers suffixes in connection with laytime measured in terms of Working days and Weather Working Days and disputes arising from tender of NORs at the end of the sea passage Laytime and Demurrage is an invaluable guide for both legal practitioners and maritime professionals worldwide including commodity traders and brokers shipping companies P I Clubs shipowners charterers and arbitrators

Ship Sale and Purchase Matt Hannaford, Paul Turner, Iain Goldrein, 2023-09-04 Ship Sale and Purchase is the essential working guide for anyone involved in the business of making ship sale and purchase agreements and also in the resolution of disputes arising out of such agreements The seventh edition of Ship Sale and Purchase contains a detailed clause by clause analysis of SHIPSALE 22 the new standard form Memorandum of Agreement for ship sales and purchases published by BIMCO in 2022 This clause by clause analysis is supplemented by commentary on the corresponding provisions of the other leading standard forms used in the global shipping markets SALEFORM 2012 the latest version of the longstanding standard form produced by the Norwegian Shipbrokers Association SINGAPORE SHIP SALE FORM 2011 and NIPPONSALE 1999 and the main differences between these forms and SHIPSALE 22 This edition of Ship Sale and Purchase also contains a comprehensive description of the many ways in which standard form agreements may be modified through amendments to the printed terms and the use of additional clauses to suit the particular requirements of the parties to individual transactions In addition it analyses relevant decisions of the English courts and arbitration tribunals and explains the implications of these decisions for ship sale and purchase transactions The seventh edition also includes commentary on changes in working practices such as the use of electronic signatures the practice of remote closings payment mechanisms

and the impact of sanctions and anti corruption legislation As with previous editions the seventh edition of Ship Sale and Purchase seeks to provide legal analysis market insight and practical guidance for all those involved in the business of buying and selling second hand ships *Admiralty Jurisdiction and Practice* Nigel Meeson,John Kimbell,2013-06-19 Admiralty Jurisdiction and Practice is the definitive work on litigation in the Admiralty Court providing in depth analysis and explanation of jurisdiction practice and procedure forms and precedents It deals with several issues not covered elsewhere including the impact of insolvency the interplay between the jurisdiction and practice the series of rules on jurisdiction laid down by international conventions limitation periods and collision action rules The fourth edition has been updated comprehensively to include new case law and changes in Commercial Court practice and procedure Admiralty Jurisdiction and Practice is an invaluable reference source for anyone concerned with admiralty law *International Cargo Insurance* John Dunt,2013-07-18 International Cargo Insurance examines the law and practice of marine cargo insurance on a worldwide basis and provides the busy practitioner the information needed to quickly and accurately resolve cargo insurance coverage issues wherever they may arise The book concentrates on the law in the United States and England It then examines other countries with a common law tradition including Hong Kong Singapore Japan and Australia The civil law systems are highlighted in a number of key trading nations Italy Germany France and Norway The book includes chapters on South Africa as well as the People s Republic of China It concludes with a comparative law chapter concentrating on issues that arise in practice in cargo coverage cases This chapter also examines how the Institute Cargo Clauses have been construed by Courts worldwide The appendices include the standard cargo policy insurance terms used in each jurisdiction some translated for the first time for this volume as well as translations of the relevant statutes and commercial codes many not available elsewhere **Merchant Shipping Legislation** Angus R M Fogarty,2017-05-12 Now in its third edition Merchant Shipping Legislation is a useful tool tool for those wishing to refer to the UK and Commonwealth merchant shipping statutes Organized in subject areas and regularly updated this complete annotation and commentary on the UK and Commonwealth merchant shipping legislation will be of use to the work of maritime lawyers in the UK and overseas All the provisions of the various merchant shipping acts are contained in a single easy to use volume organized in subject areas Divided into twenty chapters the work addresses all the most important areas including registration collisions salvage pilotage environmental protection oil pollution and carriage of goods Ship Sale and Purchase Iain Goldrein,Matt Hannaford,Paul Turner,2013-06-07 Ship Sale and Purchase is an essential working guide for anyone involved in the business of making ship sale contracts and also in the resolution of related disputes It continues to be of great practical use highlighting typical problems and tensions between the parties to ship sale contracts as well as best practice This sixth edition contains a clause by clause commentary on SALEFORM 2012 the latest edition of the highly successful Memorandum of Agreement for the Sale and Purchase of Ships issued by BIMCO and the Norwegian Shipbrokers Association Key

differences with the previous SALEFORM are described in order to help all involved get up to speed Recent case law is evaluated to highlight contractual issues that have arisen in recent years and a comprehensive description of the many ways in which the standard form provisions may be modified to suit the particular requirements of each transaction It provides complete coverage on the subject by including a practical overview of two other ship sale contracts the current 1999 edition of Nippon Sale and the first edition 2011 of the Singapore Ship Sale Form

Laytime and Demurrage John Allan Schofield, 2011 Laytime and Demurrage is an indispensable book for those new to laytime and demurrage as well as anyone who needs a more in depth analysis It is considered to be the main source of authority on all issues to do with laytime and demurrage This book deals with all aspects of laytime demurrage and detention tracing the development of the law from its origins in the nineteenth century and earlier right up to the current day This updated edition covers all of the judicial and arbitral decisions reported since the last edition published in 2005 It provides an both an overview of the general principles of laytime and demurrage as well as an in depth analysis of laytime clauses including both fixed laytime and customary laytime It also provides an important detailed analysis of the rules relating to commencement of laytime in berth dock and port charters an in depth coverage of why laytime can be suspended and other laytime matters The book provides a detailed analysis of demurrage rules and finally the book details with such matters as despatch detention and frustration This book will be an invaluable guide to practitioners who deal with maritime matters as well as maritime professionals commodity traders and brokers arbitrators and other professionals involved in dispute resolution

Lloyd's Maritime and Commercial Law Quarterly Lloyd's (Firm), 1994

The Law of Ship Mortgages David Osborne, Graeme Bowtle, Charles Buss, 2016-09-13 Thought to be the most comprehensive guide to English law relating to ship mortgages the second edition of The Law of Ship Mortgages has been highly anticipated This fully updated and complete explanation provides practitioners with a practical commercially based and definitive guide to the English law of ship mortgages as well as important related areas such as conflict of laws and insolvency The authors being seasoned practitioners themselves bring their practical experience to bear on a number of difficult and developing areas of the law such as mortgagees duties liability to charterers conflicts of laws work outs and cross border insolvency New to this edition In depth analysis of noteworthy cases such as The WD Fairway litigation PK Airfinance v Alpstream and Tropical Reefer and Anton Durbeck v DNB Enhanced coverage of issues such as security interests in ships priority and third party involvement Completely revised and reordered content to better reflect practitioner needs Written with practitioners in mind this new edition will be extremely useful to legal professionals working in any jurisdiction that is involved in international ship finance as well as post graduate students and academics

The York-Antwerp Rules: The Principles and Practice of General Average Adjustment Michael Harvey, 2014-04-03 Written from the perspective of the Average Adjuster this book is an essential read for practitioners in maritime law and marine insurance The book contains Historical references regarding the establishment of General Average

from Roman Law onwards Establishment of the International rules The Glasgow Resolution 1860 The York rules of 1864 The York Antwerp Rules 1877 1890 1924 1950 1974 and General average security **P&I Clubs: Law and Practice** David Semark, 2013-05-02 This fourth edition is a detailed but easy to follow account of the constitution workings and daily practice of protection and indemnity clubs Designed to be a practical reference source for anyone who is in any way involved with mutual insurance it offers comprehensive guidance on the complex area of P I Clubs The new fourth edition has been fully revised and updated since the last edition was written in 1999 New areas emphasised in the fourth edition include Piracy Charterers liability insurance Defence Cover Disputes concerning the Inter Club Agreement Enforceability of arbitration agreements in the Club s Rules The Club s obligation to i make direct payments under certificates ii pay death personal injury claims in the event of a member s insolvency and iii make indivisible personal injury claims Voyage Charters Julian Cooke, Tim Young, Michael Ashcroft, Andrew Taylor, John Kimball, David Martowski, LeRoy Lambert, Michael Sturley, 2022-08-31 Widely regarded as the leading authority on voyage charters this book is the most comprehensive and intellectually rigorous analysis of the area is regularly cited in court and by arbitrators and is the go to guide for drafting and disputing charterparty contracts Voyage Charters provides the reader with a clause by clause analysis of the two major charterparty forms the Gencon standard charterparty contract and the Asbatankvoy form It also delivers thorough treatment of COGSA and the Hague and Hague Visby Rules a comparative analysis of English and United States law and a detailed section on arbitration awards This book is an indispensable practical guide for both contentious and non contentious shipping law practitioners and postgraduate students studying this area of law Berlingieri on Arrest of Ships Francesco Berlingieri, 2013-08-29 This book is an invaluable source of information about the claims in respect of which a ship may be arrested in the various maritime countries of the world the conditions for obtaining an order of arrest the need if any for a security the manner by which the ship that has been arrested may be released the possibility of a multiple arrest and the jurisdiction on the merits Berlingieri provides an analysis and insightful commentary on an article per article and paragraph per paragraph basis of the 1952 International Convention for the Unification of Certain Rules Relating to the Arrest of Sea Going Ships and the 1999 International Convention on Arrest of Ships entering into force September 2011 New to this edition Updating of the information on the interpretation of the 1952 Convention in a number of Contracting States An analysis of the adoption of the rules of the 1999 Conventions in various States of the world including China the member States of the Communauté économique et Monétaire de l'Afrique Centrale Cameroon Congo Gabon Tchad the member States of the Comunidad Andina Bolivia Columbia Ecuador and Peru and Venezuela This book is a useful reference tool for practitioners as well as academics and post graduate students of maritime law *Berlingieri on Arrest of Ships: Volumes I and II* Francesco Berlingieri, 2020-11-25 Now presented in two convenient volumes the sixth edition of Berlingieri on Arrest of Ships is an invaluable source of information detailing the claims in respect of which a ship may be arrested the conditions

for obtaining an order of arrest the need for a security the manner by which the ship that has been arrested may be released the possibility of a multiple arrest and the jurisdiction on the merits Written by a renowned expert in the field and analysing the various conventions relating to the arrest of ships in an article by article and paragraph manner these books are a useful reference tool for practitioners as well as academics and post graduate students of maritime law **Time Charters** Andrew Baker, Julian Kenny, John D. Kimball, Thomas H. Belknap, Jr., 2014-12-05 Acclaimed as the standard reference work on the law relating to time charters this new edition provides a comprehensive treatment of the subject accessible and useful both to shipping lawyers and to shipowners charterers P The Athena nature of off hire meaning of loss of time time thereby lost The Kyla damage to ship and frustration The Silver Constellation The Savina Caylyn and The Rowan oil company approval of chartered ships The Captain Stefanos The Saldanha The Triton Lark and The Paiwan Wisdom effects of piracy The Kildare and The Wren damages for early termination The T S Singapore off hire where ship going towards but not to the port ordered and The Lehmann Timber The Bulk Chile and The Western Moscow owners liens The new edition also features many significant new U S decisions including Stolt Nielsen v Animal Feeds Intl Supreme Court rules class action arbitration not permitted unless parties agree in arbitration agreement ATHOS I Circuit Court finds that safe berth provision in charterparty is a warranty and not merely a due diligence obligation The M V SAMHO DREAM arbitrators direct petitioner to post 14 2M security on respondent s counterclaim and Maroc Fruit Board v M V VINSON CP arbitration clause incorporated in bill of lading not signed or contained in an exchange of letters or telegrams under NY Convention

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