

Carriage of goods

1. INTRODUCTION

Contract of sale = between buyer + seller

→ Contract determines which party has to arrange the transport

Contract of carriage = between shipper - carrier - consignee

* *Shipper* = party instructing the carrier (can be either seller or buyer)

There is a factual link between the contract (however no legal link)

Shipper/ consignee can have a claim under:

1. Both contracts
2. Only contract of sale
3. Only contract of carriage
4. None contract

Type of claim depends on 1. The type of contract 2. Parties position under that contract

Relevance:

1. Determines which party has to bear the risk for damage during transport
2. Who bears the cost of the transport

Rules applicable: CISG/ INCOTERMS / national law or EU consumer directives

CISG

- Article 31 CISG → place of delivery
- Article 32 CISG → Seller's obligations
- Article 33 CISG → delivery time

Transport modes

Types of transport modes with their applicable convention:

- Ocean
 - o Hague rules
 - o Hague-Visby Rules (HVR)
 - o Hamburg rules
- Road
 - o CMR
- Rail
 - o COTIF- CIM
- Air
 - o Warsaw/ Montreal

Standard Form Contracts For The Carriage Of Goods

Indira Carr, Peter Stone



Standard Form Contracts For The Carriage Of Goods:

Standard Form Contracts for the Carriage of Goods David A. Glass, Paul Todd, Malcolm A. Clarke, 2000 A reference book to the most frequently used forms in the carriage of goods

Contracts of Carriage by Land and Air Malcolm A. Clarke, David Yates, 2013-12-17 This book provides In depth clause by clause analysis and commentary of the major international conventions and standard form contracts within these areas New editions of two standard forms of contract for international carriage by rail Citation of the relevant case law and statutes Footnote annotations and cross references for each clause or provision

The Law of Tug and Tow and Offshore Contracts Simon Rainey, 2017-12-12 Fully updated and revised to take into account the new BIMCO Supplytime 2017 contract with a detailed analysis of the changes since the Supplytime 2005 form and including a new analysis for the first time of the BIMCO Bargehire form this is the only modern work on the law of towage and offshore vessel services It gives a comprehensive and extensively researched account of the general law coupled with a detailed clause by clause commentary and analysis of all of the major standard contracts used in the international offshore towage and heavylift sectors comprising the BIMCO Towcon Towhire Supplytime and Heavylift forms the full suite of BIMCO Wreck Removal forms and now also the BIMCO Bargehire form as well as the ISU Salvcon and Salvhire forms The Law of Tug and Tow and Offshore Contracts has rapidly established itself as a leading text and is written by Simon Rainey QC one of the foremost shipping practitioners with unrivalled experience in the field Key reasons to buy The Law of Tug and Tow and Offshore Contracts Fourth Edition the only clause by clause commentary on all of the major standard form contracts used by the offshore industry the only in depth analysis of the drafting history of the BIMCO standard form offshore contracts comparing the recent amended versions in their drafting context the only authoritative analysis of the case law and arbitration decisions affecting the towage and offshore industries written from the perspective of a leading practitioner with unrivalled practical experience over many years of the contract forms and of the issues which arise under them many of which are unreported and involved in almost all of the leading cases and arbitrations in the field written with an eye on the practicalities of how the contracts work given the everyday problems which arise in the industry with guidance where the standard forms may require amendment

The Hamburg Rules Francesco Berlingieri, European Institute of Maritime and Transport Law, 1994

Regulation of Risk Abhinayan Basu Bal, Trisha Rajput, Gabriela Argüello, David Langlet, 2022-12-28 Regulation of Risk provides comprehensive insight into regulation of risk in transport trade and environment Contributions provide national regional and international perspectives on pressing questions How is risk conceived in light of novel technological deployment climate change political upheaval evolving geopolitics and the COVID 19 pandemic What legal tools such as contractual frameworks and governance structures are available to manage the changing landscape of risk This book highlights the importance of dialogue and collaborative decision making on risk between policymakers institutions societal stakeholders and the scientific community

The International Sale of Goods

5e Michael Bridge,2024-02-08 The fifth edition of this leading authority continues to provide comprehensive analysis of the law and practice of sale of goods under English and international law It is an indispensable resource for practitioners scholars and postgraduate students *Jurisdiction and Arbitration Clauses in Maritime Transport Documents* Felix Sparka,2010-01-11 Jurisdiction and arbitration clauses are two different mechanisms that help to ensure impartiality and predictability in international dispute resolution Despite their benefits these clauses can be inconvenient for parties that are forced to litigate before distant fora Moreover particular problems arise in the context of maritime transport documents Based on a broad comparative approach this study seeks to explain the existing rules within their legal context and to develop a coherent system for such clauses which takes into account the underlying interests as well as economic theory While offering detailed answers to most issues surrounding jurisdiction and arbitration clauses in maritime transport documents the book confronts the fundamental question of the limits of freedom of contract in an international setting

International Maritime Law and Practice Časlav Pejović,2025-05-23 This book provides a different perspective on the ever popular topic of maritime law emphasising historical and comparative aspects It provides the reader with a broader view of how maritime law has developed throughout history and operates within various legal systems Each chapter starts with historical development meticulously explaining the development of various maritime law concepts to enable a higher level of understanding in the contemporary context The text adopts a comprehensive comparative approach that has two segments One segment is related to the coverage of several major maritime jurisdictions Focusing mainly on English law it also provides selected legislation and essential case law information from several other jurisdictions US France Germany Italy Japan China etc many of which are not easily accessible in English The other relates to the comparison between common law and civil law on a general level This book will be of significant interest to lawyers working in shipping companies law firms specializing in shipping international organizations related to shipping and maritime law and international traders It also provides invaluable aid to shipmasters and ship officers empowering them with the knowledge to effectively deal with various maritime law issues in their professional activities The book's content will be of direct relevance to maritime law scholars and students enhancing their understanding of this complex field **International Trade Law**

Indira Carr,Peter Stone,2010 International Trade Law offers a comprehensive and informed analysis of the complexities of an international sale transaction through case law policy documents legislation international conventions and rules adopted by international organisations such as the ICC Focusing on international sales of goods and the various relations that arise as a result of sale contract this book considers and discusses standard trade terms major conventions and principles issues relating to E Commerce international transportation of cargo insurance and payment mechanisms dispute resolution Accessible to students encountering this often challenging area of the law for the first time International Trade Law clarifies a range of topics through tables and diagrams and directs the reader to relevant further reading online resources and journal

articles throughout The Law of Contract Hugh Collins, 2003-07 This volume provides an advanced analysis of the law of contract for undergraduate courses covering the law of contract and the law of obligations

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