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# The Implications of Samoa's Small Boat Law on Tort Law and Human Rights: A Case Study

## Abstract

This paper explores a hypothetical case in the United Kingdom concerning the enforcement of tort law, specifically Samoa's proposed Small Boat Law, and human rights. The case study illustrates the legal implications and potential human rights issues arising from this legislation.

## Introduction

In this study of tortious negligence, we will analyze the UK's common law, which often finds fault with a person's conduct in applying this concept. Unlike the law's primary objective to determine liability and remedy, it has evolved as significant debate surrounding its impact on tortious and human rights.

## Case Background

The case involved an accident at a small boat event, referred to as "A," where two individuals, including a minor, were injured. The accident occurred while the individuals were participating in a small boat race. The accident resulted in the death of one individual and serious injury to another. The case involved the application of tort law, specifically negligence, to determine liability for the accident.

## Tort Law Perspective

From a tort law perspective, "A" argued that the race had a small boat race that was not the legal result of negligence. The defendant, who was the government's highest in command, had been a participant in the race and was the defendant in the case.

## Human Rights Angle

"A" also contended that the law infringed on his human rights, specifically his right to freedom of movement and his right to enjoy his property. These rights are protected under Article 2 and 1 of Protocol No. 1 of the European Convention on Human Rights, respectively.

# Small Boat Law

**Michael Rajnik**



## **Small Boat Law:**

**To Defer Implementation of the Small Boat Inspection Law** United States. Congress. Senate. Committee on Interstate and Foreign Commerce, United States. Congress. Senate. Committee on Interstate and Foreign Commerce. Subcommittee on Merchant Marine and Fisheries, 1957      Small Boat Safety United States. Congress. House. Committee on Merchant Marine and Fisheries, 1969 Committee Serial No 90 35 Considers H R 15223 the Recreational Boat Safety Act of 1968 and two similar bills to provide Federal standards for the manufacture of boats under 16 feet in length and to assist states in carrying out boating safety programs      Small Boat Law Herbert L. Markow, 1977 This book written as a text for community colleges is intended as well for attorneys and marine law enforcement officers Among the topics it examines are admiralty and local jurisdiction search and seizure rescue the Federal Boating Act boat sales warranties federal boat safety standards marina and boatyard disputes maritime liens and salvage and sunken treasure      *Small Boat Law* Herbert L. Markow, 1984      The Consolidated Laws of the State of New York: Agricultural law to Village law New York (State), 1909

The Statute Law of the State of New York New York (State), 1881      **Congressional Record** United States. Congress, 1970 The Congressional Record is the official record of the proceedings and debates of the United States Congress It is published daily when Congress is in session The Congressional Record began publication in 1873 Debates for sessions prior to 1873 are recorded in The Debates and Proceedings in the Congress of the United States 1789 1824 the Register of Debates in Congress 1824 1837 and the Congressional Globe 1833 1873      **Legislative, Executive, and Judicial Appropriations Bill, Hearings Before ... 63-3, on H.R. 1990** United States. Congress. Senate. Appropriations Committee, 1915      **Digest of the Laws of the State of New York**, 1875      **Journal of the Senate, Legislature of the State of California** California. Legislature. Senate, 1967      **MotorBoating**, 1939-07      **Problems of Alaska** United States. Congress. Senate. Committee on Public Works, 1970      Library of Congress Subject Headings Library of Congress, Library of Congress. Subject Cataloging Division, Library of Congress. Office for Subject Cataloging Policy, 2013

Piloting, Seamanship and Small Boat Handling Elbert S. Maloney, 1978      Library of Congress Subject Headings Library of Congress. Cataloging Policy and Support Office, 2004      Small Boat Towing and Safety Report California. Department of Boating and Waterways, 1987      *National Boating Safety Program* United States. Congress. Senate. Committee on Commerce. Merchant Marine Subcommittee, 1971      **Boating**, 1970-01      **P-Z** Library of Congress. Office for Subject Cataloging Policy, 1990      **The Consolidated Laws of the State of New York, 1909** New York (State), 1909

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