

# THE HAMBURG RULES

CHRISTOF LÜDDEKE AND ANDREW JOHNSON

**SECOND EDITION**

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# The Hamburg Rules A Choice For The Eec

**RM Cervero**



## **The Hamburg Rules A Choice For The Eec:**

The Hamburg Rules Francesco Berlingieri, European Institute of Maritime and Transport Law, 1994      The Hamburg Rules: a Choice for the EEC?: Conclusion Leo Delwaide, 1994      The Carriage Of Goods By Sea Under The Rotterdam Rules Rhidian Thomas, 2017-09-19 This book is based on papers presented at the Sixth International Colloquium organised by the Institute of International Shipping and Trade Law Swansea University in September 2009 The sixteen contributions have been written by a team of international experts who collectively submit the newly proposed Rotterdam Rules to a sustained penetrative and comprehensive analysis The scale of the Rotterdam Rules is staggeringly wide as also are their detail and complexity and coming to a full understanding of the provisions and implications of the Rules represents a challenge even to those experienced in the law and practice of commercial shipping This book examines virtually all aspects of the Rules and will provide an effective reliable and readable guide to everyone seeking a complete grasp of the Rules      **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      **The Hamburg Rules: a Choice for the EEC? International Colloquium** R (Chairman) Roland, 1993      Container Carrier's Liability in International Multimodal Transport Jia Jia, 2023-08-28 International multimodal transport has been developed rapidly in recent 50 years and the worldwide use of containers made a valuable contribution There are various effective international conventions for different modes of transport and this monograph focuses on the fundamental parts of the international multimodal transport container carrier's liability regime The central research question is has the current liability regime provided a sufficient framework for container carriers in international multimodal transport The question can be divided into three issues Firstly how wide should the scope of application of the international unimodal conventions be to cover the period of liability of container carrier in international multimodal transport Secondly do the existing conventions provide a proper and satisfactory framework to govern container carrier's liability Thirdly if not what solutions can be adopted In order to answer the above questions the novelty of this monograph lies on experiences gained from recent case law in relation to container transport This monograph does not only discover problems in the existing legal system but also provides feasible suggestions for container carrier's liability regime based on the Rotterdam Rules      **European Seaports Law** E. van Hooydonk, 2003 In 2001 the European

Commission published its so called Ports Package a first attempt at developing a European policy for seaports The Ports Package includes a Directive on Market Access to Port Services which will influence the port industry thoroughly and lead to fundamental changes in daily port operations In this volume academics as well as practising lawyers from France Ireland Italy and Belgium describe the legal framework for the several branches of the port sector recalling the far reaching practical implications of existing general EU law and discussing the latest versions of the Port Services Directive proposal Completed by authoritative views from the head of the Commission's ports unit a specialist MEP and representatives from both the public and the private port sector this book offers a fairly complete overview of existing port law as well as the main points of concern in the policy debate Its purpose is to serve both as a policy background document and as a working tool for public and private port players as well as for academics and lawyers

**The Hamburg Rules: a Choice for the EEC? an Introduction to the Theme of the Antwerp Colloquium** Marc Huybrechts,1994 **English and Continental Maritime Law** Herman Boonk,2003 The sixth marine law seminar organized by the European Institute of Marine and Transport Law

Wilful Misconduct in International Transport Law Duygu Damar,2011-07-17 The main rationale of the conventions on international transport law is to limit the liability of the carrier However an aspect common to these conventions is that in cases of wilful misconduct the carrier is liable without any financial limitation Wilful misconduct denoting a high degree of fault is an established term in English law The Convention for the Unification of Certain Rules relating to International Carriage by Air Warsaw Convention of 1929 was the first international convention on transport law where the term was employed A definition of wilful misconduct which can be found in later conventions regarding carriage of goods and passengers as well was implemented in the Hague Protocol of 1955 amending the Warsaw Convention However the question as to exactly which degree of fault constitutes wilful misconduct has to date remained controversial and unanswered This work seeks to answer this question To this end the historical background of the term together with its function and role in marine insurance law case law and international transport law are examined from a comparative perspective

*International Trade & Business Law & Policy* Peter Gillies,1998 A sourcebook for students and practitioners who are interested in international business transactions and want to gain familiarity with the law and practice of international trade law policies and ethics Each chapter deals with an important aspect of international trade and business Aspects of Maritime Law M. L. Hendrikse,N. H. Margetson,N. J. Margetson,2008-01-01 This book contains an extensive comparative law study of English American and Dutch law concerning the construction of The Hague Visby Rules Australian and Canadian law has been discussed where relevant The authors have attempted to present law at an academic level in a way which will be useful to the practising lawyer Other matters discussed in this book are global limitation of liability the applicability of The Hague Visby Rules in the Netherlands and electronic bills of lading This book will be of interest to practitioners working in this very specialized field as well as to students of comparative law It will especially be of practical value to anyone dealing

with cargo damage ship arrest or litigation in the Netherlands Provided by publisher **Bills of Lading** Nicholas Gaskell,2017-07-05 Bills of Lading Law and Contracts provides a detailed legal analysis of common standard form clauses in bills of lading and waybills which are in use in the maritime world as well as a comprehensive examination of the legal principles which are applicable to them Bills of Lading Law and Contracts provides a detailed legal analysis of standard form clauses in bills of lading and waybills which are in use in the maritime world as well as a comprehensive examination of the legal principles which are applicable to them *Civil Liability for Bunker Oil Pollution Damage* Dan Malika Gunasekera,2010 This book deals with the liability conventions brought into existence by the International Maritime Organization and concentrates on the newly adopted instrument dealing with bunker oil pollution as an area of great concern for every stakeholder involved in shipping business The work covers a wide spectrum ranging from the Convention itself to its scope of application liable and aggrieved parties jurisdiction requirements of liability and admissibility of claims defences and exoneration from liability It addresses many areas of interest and of importance to international and national legal advisors lawyers law students and anyone interested in the relevant field such as shipowners charterers shipbrokers ship personnel and associated contractors and sub contractors **Carriage of Goods by Sea, Land and Air** Baris Soyer,Andrew Tettenborn,2013-08-15 Written by a combination of top academics industry experts and leading practitioners this book offers a detailed insight into both unimodal and multimodal carriage of goods It provides a comprehensive and thoroughly practical guide to the issues that matter today on what is a very complex area of law From the papers delivered at the 8th International Colloquium organised by Swansea Law School s prestigious Institute of International Shipping and Trade Law this original work considers current opinions trends and issues arising from contracts of carriage of goods by sea land air and multi modal combinations of these not to mention the legal position of vital participants such as freight forwarders terminal operators and cargo insurers The topics under discussion range through issues such as paperwork piracy liability for defective containers damage in transit the CMR Convention and the possible effects of the Rotterdam Rules An indispensable resource for transport lawyers industry professionals academics and post graduate students of maritime law General average, legal basis and applicable law Jolien Kruit,2017-02-16 General average is considered to be one of the most uniformly regulated topics of maritime law This study concludes that this perception is flawed The invariably applicable York Antwerp Rules do not provide a full regime whereas their applicability is generally contractual only As a result questions arise as to which law applies to general average obligations how the applicable national law is to be determined taking into consideration the impact of the European Rome I and II Regulations and what is provided in the national regimes In addition questions arise as to what the influence is of contractual provisions set out in contracts for the carriage of goods by sea and general average security forms and how the various sources interact This study contains an in depth assessment of these questions *Ocean Bills of Lading* A.N. Yiannopoulos,2025-03-03 **Jurisdiction and Forum**

**Selection in International Maritime Law** Robert Force, Martin Davies, 2005-01-01 Forum selection is typically the most crucial issue in a transnational case. Nowhere is this truer than in maritime law where forum selection is the first and sometimes the only point of engagement in international maritime litigation. In this important collection of essays ten outstanding maritime law scholars from eight countries analyze the complex theoretical and practical issues surrounding forum selection in maritime cases. Among the topics discussed are the following: injunctions, forum shopping, limitation of liability, forum non conveniens, effect of forum selection clauses, loss or damage to goods, the in personam link and recognition of foreign liens. The book stems from a symposium held at Tulane University in 2004 to honor the 70th birthday of Robert Force, the influential and respected scholar who founded the renowned Tulane Maritime Law Center. As befits such a festschrift, the book opens with a detailed analysis and overview of forum selection clauses written by Professor Force and his Tulane colleague Martin Davies. This is followed by thought provoking essays on comparative issues, procedural theory, competing jurisdictions, jurisdictional clauses, EC law and other matters, and by insightful and knowledgeable reports on specific issues related to China and South Africa. At a moment in history when geopolitical trends and globalization of trade are rapidly growing and changing maritime lawyers and the various agencies and commissions that sustain this vitally important branch of international legal practice will greatly appreciate this remarkable book.

**2007** Paul Volken, Andrea Bonomi, 2009-04-27 2007 was arguably the most extraordinary year in recent memory for the development of Private International Law. Reflecting the vitality and fluidity of a subject that is in constant motion, Volume IX of the Yearbook of Private International Law is again a very rich and multi faceted book. An entire thematic section of this volume is devoted to the Rome II Regulation on the law applicable to non contractual obligations which was adopted by the EC institutions in July 2007. Being the first EC regulation on pure applicable law issues, this text opens up a new era in the process of creating a European PIL system. It deserved therefore a detailed commentary and analysis of its main provisions by experts from several EU States. Because of the interest that this European text presents for third party States, some distinguished scholars from non European areas, the US, Japan, Latin America and Australia, were also asked to express their views on this important piece of Community legislation and the possible influence it may have on conflict developments in their respective countries and regions.

**The Choice of Legal Basis for Acts of the European Union** Annegret Engel, 2018-09-10 This book provides the first comprehensive discussion of conflicts between legal bases in EU law. It fills an important gap in the existing literature on the choice of legal basis in EU law by analysing the structure of legal bases and the resulting legal basis litigation in the European Union, thus identifying areas of conflict produced by overlapping competences, divergent inter institutional interests and inconsistencies in the courts' judgements. While certain cases have been discussed extensively in academic literature, e.g. Tobacco Advertising, ECOWAS, there has been little analysis of the general underlying criteria and principles governing the choice of legal basis on the part of European institutions. Such an analysis has however become

necessary in order to better understand and possibly predict judicial outcomes and to identify flaws in the current legislative framework

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