

LL4246/LL5246/LLJ5246/LL6246 International Carriage of Passengers by Sea

This course will give participants a broad understanding of the law relating to the international carriage of passengers by sea. Given the burgeoning cruise industry and the importance of ferry services in Asia, the law applicable to the carriage of passengers is of contemporary relevance. This field sits at the crossroads of contract law, international maritime law and domestic consumer protection law. Participants will gain an enhanced understanding of all three areas through the prism of passenger claims. This module will be useful for those who are working or aim to work: in legal practice specialising in shipping work; in marine insurance and risk management; within the cruise and ferry industry; in government regulation in the shipping sector; or in legal practice dealing with personal injury claims.

On successful completion of this course participants should be able to:

- Demonstrate a knowledge of the history and operation of relevant international conventions such as the Athens Convention and Limitation Conventions;
- Convey an understanding of particular contractual issues such as formation of the passenger contract, incorporation of terms and the validity of limitations and exclusions;
- Explain and critique the international efforts to regulate passenger ships both from a safety and liability viewpoint;
- Outline the law pertinent to the commencement of passenger claims, in particular jurisdiction and time bars; and
- Explain how to determine which States have power to investigate and prosecute crimes occurring on ships at sea.

The course will include seminars on these topics:

1. Introduction to passenger ships. Regulation of safety on board passenger ships.
2. The contract of carriage: formation and incorporation of terms.
3. The *Athens Convention 1974*: personal injury and property damage claims.
4. The *Athens Convention 2002*.
5. Other claims against carriers – eg damages for disappointment and distress, consumer claims. Passenger rights under domestic consumer law.
6. Shipowner's right to limit liability.
7. Bringing suit: notice, timebar and jurisdiction issues.
8. Jurisdiction over crimes on passenger ships.
9. P&I insurance and passenger claims.