

HONS. 09 / 024 / 19

B.A.,LL.B (Hons.) DEGREE NINTH SEMESTER EXAMINATION, NOVEMBER 2019

MARITIME LAW

Time: 3 Hours

Maximum Marks: 50

PART – A

I. Answer ANY THREE questions. Each question carries TEN marks

(3* 10 = 30)

1. An oceans space driven by out-of-control national claims and a “might makes right” credo can neither serve community common interests nor restrain conflict. The Law of the Sea Convention is a remarkable achievement in the rule of law—providing both stability and a check on power. How far do you agree that the UNCLOS III is an important achievement in establishing an international rule of law.
2. What are the essential requirements of a successful salvage claim. Do you think that the Salvage Convention of 1989 incentives salvage and should India ratify the convention?
3. “The Admiralty (Jurisdiction and Settlement of Maritime Claims) Act, 2017 is a much-awaited piece of legislation. It clarifies the admiralty jurisdiction of Indian courts and codifies in a single statute much of what was previously only stated in court judgments.” Highlight the relevant provisions of the Act with special reference to admiralty jurisdiction, maritime claims and arrest of sister ships.
4. What are the rights and immunities of a Carrier under the 1925 Act? Do you think that the law as it stands now in India protects the interest of the cargo owners?

5. Discuss the fundamental principles of Marine insurance relating to utmost good faith. What is the effect of non-disclosure upon a marine insurance contract? Do you think that the insistence on utmost good faith can be too harsh on the assured and that the Marine Insurance Act, 1963 must be amended accordingly?

PART -B

II. Answer ANY FOUR questions. Each question carries FIVE Marks

(4* 5=20)

1. Flags of convenience
2. Essential attributes of a Bill of Lading
3. Norms evolved by IMO
4. Maritime lien
5. Rights and obligations of the coastal states in the Exclusive Economic Zones
6. Right of innocent passage