

THE HONG KONG POLYTECHNIC UNIVERSITY

CENTRE FOR MARITIME STUDIES

Course : Post experience Diploma in Ship Command
Subject : Commerce and Law
Class : PeDSC Part B
Session : 1994/95
Date : 5 June 1995
Time allowed : 3 hours (0930 - 1230)

Instructions : Attempt Questions 1, 2 and 3 and any four of
to Candidates the remainder.

This paper has nine questions.
Minimum pass marks 50%.

Available from :
Invigilator

A1. (a) Discuss the circumstances wherein carriage of goods on deck is permissible.

(b) What are the consequences on the shipowner of improper carriage on deck?

(20 Marks)

A2. (a) Explain the meaning of "General Average", and differentiate between General Average and Particular Average in marine insurance.

(b) For a sacrifice or expenditure to be the subject of General Average Contribution, some conditions must be complied with. Discuss these conditions.

(20 Marks)

A3. Discuss the extent of the assured's obligations with respect to seaworthiness under voyage and time policies of marine insurance.

(20 Marks)

B4. What is meant by "Noting Protest", and "Extending Protest"?
Under what circumstances would these be necessary? (10 Marks)

B5. Discuss your duties in the event of a collision with another vessel. What further action is required on arrival in port? (10 Marks)

B6. A crewman is persistently late on watch. What is the procedure for dealing with him under the Code of Conduct? (10 Marks)

B7. Distinguish between :

- (a) Actual Total Loss and Constructive Total Loss;
- (b) Warranties and Representation in marine insurance. (10 Marks)

B8. Give an account of the extent of the carrier's responsibility for damage or loss of cargo under the Hague-Visby Rules. (10 Marks)

B9. Discuss the necessary circumstances for a salvage award. What are the legal consequences for the shipowner and cargo owner if a ship's master signs an Lloyd's Open Form 1990 in an emergency? (10 Marks)

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