

Carriage of Goods

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The major conventions

- **Hague rules 1924**
- **Hague-Visby Rules 1968**
- **Hamburg Rules 1978**

The contracts

- **Transport documents**
 - Bills of lading
 - Waybills
- **Contracts of affreightment**
 - Various kinds of charterparties
 - Booking notes

The parties

- **Owner, charterer and sub-charterer**
- **Carrier**
- **Shipper and receiver**
- **Bill of lading holder**

The problem

- **Freedom of contract**
- **Negotiation power**
- **Political interests**
- **Insurance interests**

The compromise

- **Negligence liability**
- **Reversed burden of proof**
- **Exceptions**
- **Limited liability**

The negligence rule

Negligence in respect of

- **Handling and storage of the cargo**
- **Description of the cargo**
- **Delivery of the cargo**

Handling and storage

● Due care

- The vessel
- The handling

● Shipper's instructions

● What could the master possibly know?

Seaworthiness

- Voyage intended
- Technical seaworthiness
- Preparation of holds
- Equipment in holds
- Seaworthiness by stages

Nautical error exception

- **Commercial and nautical errors**
- **Why exception for nautical errors?**
- **Nautical errors caused by negligence**
- **Acts in the interest of both vessel and cargo**

Fire exception

- **Why fire exception?**
- **Fire caused by negligence**
- **Definition of fire**
- **Consequential damages**

The catalogue

- **Acts of God**
- **Risks on cargo side**
- **Excepted perils: Salvage**

Limitation

- **Calculation of loss**
- **The kilo rule**
- **Unit limitation**
- **Containers**
- **Relationship to global limitation**

The liable party

- **The definition of carrier**
- **More than one “carrier”**
- **Who is bound by the signature of the master on a bill of lading?**

Bills of lading

- **Definition**
- **Delivery under a bill of lading**
- **Liability for wrongful delivery**

Cargo description

- **The description in the bill of lading**
- **When is a statement negligent?**

Liability for bill of lading cargo description

- **The estoppel point of view**
- **The torts point of view**