

INDEX OF LEGISLATION, INTERNATIONAL CONVENTIONS, EU REGULATIONS AND STANDARD FORMS

ABS Rules	85	section 2(2)	185, 442, 443, 444
Administration of Justice Act 1956		section 2(3)	443
section 47(2)	7	section 2(4)	444
Administration of Justice Act 1969		section 2(5)	116, 117, 442, 443
section 12	18	section 3	177
Admiralty Court Acts of 1840 and 1861	249	section 3(1)	116, 118, 119, 441, 444, 449
AmWelsh form	169	section 3(2)	445
Arbitration Act 1996		section 3(3)	445
Article 6	294	section 5	118
section 33	414	section 5(1)	441, 443
section 66	73–4, 250, 325	section 5(2)	443
section 69	430	section 5(3)	442, 443
Arrest Convention 1952	247, 248	section 5(4)	115, 442
Article 3(1)	423–30	section 6(3)	115
Article 3(4)	423–30	Centrocon Arbitration Clause	9–10
Asbatime 1981	323	Chilean law	
Athens Convention 2002	421	Code of Commerce	78
Article 23	97	Chinese law	
Australian law		Arbitration Law	
Carriage of Goods by Sea Act 1991 (Cth) ...	147	Article 2	228
Schedule 1A, Article 1(1)	148, 149	Article 3	228
Schedule 1A, Article 1(3)	148	Article 16	227, 231
Schedule 1A, Article 2(1)	148	Article 17	228
Schedule 1A, Article 3(2)	150	Article 18	228
Schedule 1A, Article 3(8)	152	China Maritime Arbitration Commission	
Schedule 1A, Article 4(2)	150	Arbitration Rules 2004	
Schedule 1A, Article 7	148	Civil Procedure Law	
Carriage of Goods by Sea Regulations 1998		Article 38	231
(Cth)	148	Contract Law	
Baltimre 1939 charter	328	Article 3	227
Basel Convention on Hazardous Wastes	494	Article 11	227
Basel Rules		Article 14	233
rule 27	189	Interpretation of the Supreme People's Court	
rule 40	189	Concerning Some Issues on the	
Bills of Exchange Act 1882		Application of the Arbitration Law of	
section 2	447	the People's Republic of China	
Bills of Lading Act 1855	115, 437, 439, 440	Article 1	227
section 1	115, 119, 439	Article 11	228
BIMCO dispute resolution clause	303	Article 16	237
BIMCO ice clauses	460	Maritime Code	
BIMCO Wreckhire form	77–8	Article 95	232, 234
Boxtime Charter		Provisions of the Supreme People's Courts on	
clause 13(n)	459	Some Issues Concerning the Trial of Cases	
BPVOY 4 form	326–7	of Disputes over Letters of Credit (2006)	
Budapest Convention on the Contract for the		Article 8	468
Carriage of Goods by Inland Waterway		Civil Jurisdiction and Judgments Act 1982	
(CMNI) 2005	196, 280, 281	section 27	7
Article 16(1)	213, 214	Civil Procedure Rules	
Article 18(1)	213	Part 2.3(1)	174
Article 18(2)	213, 214	Part 24	473, 474
Article 25(2)	213	Part 35	19
Canadian law		Part 61(4)	413
Maritime Liability Act		Practice Direction 6B	
Part 6	266	paragraph 3.1(9)	174
Carriage of Goods by Sea Act 1992	74, 115, 437, 439, 448, 449, 450, 451	25 PD.3.2	471
section 1(2)	440	rule 25.1	238
section 1(3)	440	Code of Safety for Caribbean Cargo Ships	309
section 1(4)	441	Collision Regulations	251
section 2	177	Colonial Courts Admiralty Act 1890	249
section 2(1)	115, 118, 119, 441, 443	COMBICONBILL 1995	39
		COMBICONBILL 1996	
		Clause 14(3)	37

Companies Act 1989		Council Directive 1999/93/EC on a Community framework for electronic signatures	
section 736	75	Article 3(3)	192
section 736A	75	Article 5	192
CONGENBILL 1974	227	Article 6(3)	194
CONGENBILL 1994	295	Council Directive 2004/17/EC	397
CONGENBILL 2007		Article 1(9)(b)	397
clause 1	226	Council Directive 2004/18/EC	397
CONLINEBILL 2000		Article 1(11)(b)	397
clause 15(a)–(b)	37	Council Directive 2005/35/EC on ship-source pollution	259
Contracts (Rights of Third Parties) Act 1999	40, 173	Council Directive 2006/48/EC	189
section 1	26		
section 2(1)	26, 38	Djibouti Code of Conduct	58
section 6(5)	26	Dutch law	
section 6(6)	26	Civil Code	
section 7(1)	26	Article 6.248	424
section 9	26	Article 8.23	214
Convention Concerning International Carriage of Goods by Rail appendix B (COTIF/CIM 1999)	280, 286	EC Regulation 3577/92	398
Article 40	21	EC Regulation 44/2001	288, 293
Article 41.2	21	Article 23	76
Convention for the Carriage of Goods by Inland Waterways 1959 (CMNI)	280, 286	Article 34(1)	73
Article 17.3	21	Article 34(3)	73
Convention for the International Carriage of Goods by Road 1978 (CMR) (Protocol)		EC Regulation 1370/2007	398
Article 3	21	EU Treaty	
Article 4	282	Article 14	140
Article 28.2	21	Article 25(3)	140
Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation	127, 130	Article 28(3)	140
section 373(8)	136	Article 108(3)	398
Amendment 2005	130	European Convention on Human Rights	
Convention for the Unification of Certain Rules of Law with respect to Collisions between Vessels (Collision Convention) 1910	197	Article 5	126
Article 3	199	EXXONVOY 84	420
Article 4	196, 197, 198		
Convention for the Unification of Certain Rules Relating to International Carriage by Air 1929 (Warsaw Convention)	21	Factors Act 1889	
Guadalajara Convention		section 1(4)	108
Article II	21	FIATA BL 1992	39
Guatemala City Protocol		FOSFA standard form	249
Article XI	21		
Hague Protocol		GAFTA Sampling Rules	329
Article XIV	21	Geneva Convention on the High Seas	
Convention for the Unification of Certain Rules Relating to International Carriage by Air 1999 (Montreal Convention)	278, 280, 286	Article 19	122
Article 30	21	Article 105	122
Convention on Limitation of Liability for Maritime Claims (LLMC) 1976	59, 91	Hague Rules	21, 50, 92, 93, 108, 147, 223, 275, 279, 280, 284, 287, 288, 294, 303, 356, 382, 400, 437
Article 6	60	Article I(b)	303
Article 7	60	Article III(3)	54
Protocol 1996		Article IV(2)	21, 74
Article 8	59–60	Article IV(5)	21
Convention on the Contract for the International Carriage of Goods by Road 1956 (CMR)	21, 196, 220, 280, 286	Hague-Visby Rules	21, 50, 90, 92, 93–5, 147, 223, 275, 279, 284, 287, 288, 294, 356, 382, 437
Article 17(1)	210, 212	Article I(b)	303
Article 17(2)	209, 210, 211, 212, 216	Article I(e)	148
Article 17(3)	210, 212	Article III(1)	150, 160
Article 17(4)	210, 212	Article III(2)	150, 160
Article 17(5)	209, 210, 211, 212, 213, 214	Article III(3)	54
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matters 1972	482	Article III(6)	186
Protocol		Article III(8)	92, 98, 99, 152, 303
Article 4	483	Article IV(1)	160
CONWARTIME 1993	416	Article IV(2)	21, 34, 36, 160, 197, 202, 203, 215
Council Directive 1995/21/EC on Port State Control	309	Article IV(5)	21, 94–5, 96, 99, 100, 101, 103
		Hamburg Rules	21, 50, 90, 93, 95, 147, 196, 275, 279, 284, 287, 437
		Article 1.2	21
		Article 2.3	303
		Article 5	156, 197
		Article 5.1	21, 202, 203, 214, 215, 348
		Article 5.5	21
		Article 5.7	197, 202, 215, 348

Article 6	21	Fishery Port Act 2000	488
Article 6.1	95	Law Concerning Reporting etc of Releases into the Environment of Specific Chemical Substances and Promoting Improvements in their Management ..	488
Article 7.2	21	Law Concerning Special Measures for Con- servation of Lake Water Quality 1984 ..	488
Article 10	383	Law Concerning Special Measures for Conservation of the Environment of the Seto Inland Sea 1978	488
Article 10.2	21	Law Relating to the Prevention of Marine Pollution and Maritime Disaster 1976 ..	488
Article 14.1	54	Marine Pollution Prevention Law 1970	488
Article 23	152	Port and Harbour Act 1950	488
Article 23.1	303	River Act 1997	488
Hong Kong law		Waste Management and Public Cleansing Law 1970	488
Sale of Goods Ordinance		Water Pollution Control Act 1978	487
section 18	341		
IMO Convention on Ship Recycling	494	Kenyan law	
IMO Resolution A.787(19) Procedures for Port State Control	309	Admiralty Jurisdiction Act	
Institute Cargo Clauses	338, 391	section 4	133
Institute Time Clauses Hulls 1983	78, 391	Constitution	
Institute Voyage Clauses 1983	177	Article 165	139
Inter-American Convention on International Commercial Arbitration 1975 (Panama Convention)	293	section 77(2)(2)	137
Inter-Club New York Produce Exchange Agreement 1996 (as amended 2011)	323-4	Evidence Act	136
International Convention against the Taking of Hostages 1979	134	section 106	136
Article 16	134	Kenya-Denmark Agreement	
International Convention for the Prevention of Pollution from Ships 1973 (MARPOL)	488, 493	Article 4(1)	142
Protocol 1978 (MARPOL 73/78)	488	Article 4(3)	142
International Convention for the Safety of Life at Sea (SOLAS)	85, 290, 493	Article 4(4)	142
Article 1(6)	84	Article 4(5)	142
International Convention on Civil Liability for Bunker Oil Pollution Damage 2001	265, 266	Article 4(7)	143
International Convention on Civil Liability for Oil Pollution Damage 1992	264	Article 4(8)	143
Article 1(1)	306	Article 4(c)	143
International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea 1996 (HNS Convention)	60, 265, 270, 273	Article 5(1)	144
International Convention on the Arrest of Ships 1999	247	Article 5(2)	144
Article 10.1	247	Article 6(2)	142
Article 14	247	Article 6(3)	144
International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage 1992 (Fund Convention)	264, 266-7, 268	Article 6(5)	144
Article 10	307	Article 6(6)	144
Protocol of 2003	264	Article 6(8)	143
International Convention relating to the Limitation of the Liability of Owners of Sea-Going Ships 1957	60	Article 6(b)	143
International Covenant on Civil and Political Rights 1966	139, 141, 142	Article 6(d)	143
International Oil Pollution Compensation Funds 1971	264, 266, 268	Article 6(e)	143
International Oil Pollution Compensation Supplementary Fund	264, 266-7, 268	Article 6(f)	143
IOPC Funds	264	Article 6(g)	143
ITCH 83 terms	83	Article 8	144
Japanese law		Kenya-EU Agreement	
Basic Act on Ocean Policy 2007	489	Article 3(b)	142
Basic Environment Law 1993 (Law no 91) ..	488	Article 3(c)	142
Article 15	488	Article 3(d)	142
Article 16	488	Article 3(e)	142
Basic Law for Environmental Pollution Control 1972		Article 3(f)	142, 143
Article 19	491	Article 3(g)	143
Coast Act 1956	488	Article 3(h)	143
Environmental Assessment Act 1997	488	Article 4	144
		Article 5(b)	142
		Article 5(c)	144
		Article 5(e)	144
		Article 5(f)	144
		Article 5(g)	143
		Article 6(7)	144
		Kenya-UK Agreement	
		Article 4(2)	142
		Article 4(3)	142
		Article 4(4)	142
		Article 4(5)	142
		Article 4(7)	143
		Article 4(8)	143
		Article 5(1)	144
		Article 5(2)	144
		Article 6(2)	142
		Article 6(3)	144
		Article 6(4)	143
		Article 6(5)	144
		Article 6(6)	144

Article 6(7)	143	Act of 16 February 2007 No 9 Relating to Ship Safety and Security	255, 256, 257-9
Article 6(b)	143	NYPE 1946	323
Article 6(c)	143	NYPE 1993	
Article 6(e)	143	clause 27	323
Article 6(f)	143	NYPE amended form	250
Article 6(g)	143	NYPE Interclub Agreement 1996	418
Article 8	144	clause 2	419
Kenya-US Agreement	144	clause 9	419
Article 3(2)	142, 143, 144	NYPE standard form	8
Article 3(3)	142	clause 30	232
Maritime Zones Act 1989	133	Package Travel, Package Holidays and Package Tours Regulations 1992	
section 371	133	paragraph 14	15
section 372	137	Piracy Act 1837	133
Merchant Shipping Act 1894	492	Piracy Act 1850	133
Merchant Shipping Act 2009	133, 134-6,	Ransom Act 1782	82
section 3	141	Raytheon Antarctic Time Charter	457
sections 369-83	134-6	clause C.ii	454, 455, 457
section 371	137, 144	Rome Convention	
section 372	138	Article 1	391
Penal Code	141	Article 3	13, 391
section 5	138	Article 4(2)	13
section 69	133, 134,	Article 15	391
sections 254-263	135, 137	Rules for Electronic Bills of Lading 1999	275
sections 295-302	133	SAJ form 1974	
Korean law		Article VII.5	339
Corporate Restructuring Law	333	Sale of Goods Act 1893	
Limitation Convention 1924	91	section 18	341
Limitation Treaty 1957	91	Sale of Goods Act 1979	
London Dumping Convention 1972	487	section 6(1)	339
London Dumping Convention 1980	487	sections 17-19	440
London Maritime Arbitrators Association Rules	14	Scandinavian law	
MAERSK LINE Bill of Lading		Maritime Code	
clause 1	37	paragraph 292	52, 54
clause 4.2	37	paragraphs 302-4	54
clause 22.2	182	Norwegian Maritime Code	
Marine Insurance Act 1906	391	section 254	188
section 2	436	section 294	188
section 17	434	section 292	188
section 18	261	section 302	188
section 18(1)	435	section 304	187
section 18(2)	261, 434	section 305	186
section 18(3)	434, 435	section 306	190
section 18(4)	434	section 307	190
section 39(1)	253	Norwegian Mortgage Act 1980	
section 39(3)	436	section 4(1)	187
section 39(4)	436	Seychellois law	
section 78(4)	12, 80, 82	Piracy Act 2010	141
section 79	439	Shelltime 3	417
section 84	180	Shelltime 4	418
Schedule 1	436	Somali law	
MCA LY2 Code	253-4	Federal Penal Code	123
Merchant Shipping Act 1995		Spanish law	
section 183	421	Commercial Code 1885	391, 393
section 190(5)	413	Article 10.5	391
Misrepresentation Act 1967		Articles 737-805	390
section 2(1)	180	Article 765	394
Model Law on International Commercial Arbitration	234	Article 789	394
Montreal Convention		Article 791	394
Article 21	97	Article 792	394
Article 24	97	Article 795	394
Montreal Guidelines on the Protection of the Marine Environment from Land-Based Sources 1985	483, 484, 485	General Shipping Bill 2008	391, 392-5
MULTIDOC 95		Article 436	392, 393
clause 1	39	Article 436.2	393
New York Convention 1958	79, 234, 250, 293	Article 444.1	392
Norwegian law		Article 452	393
Act of 13 March 1981 No 6 Concerning Protection Against Pollution and Concerning Waste	255, 256, 258	Article 454.2	393
section 7	256, 257	Article 454.3	392, 393
		Article 455	394
		Article 456.1	394
		Article 493	392
		Insurance Contract Act (Act 50/1980)	390
		Article 2	392

Article 10	393	Article 7	22, 35,
Article 16	394	186, 235, 236, 278, 279, 303, 446, 450	
Article 43.2	394	Articles 8–10	282, 446
Article 107	391	Article 8	55
Insurance Policy for Goods and Other Cargo		Article 9	192, 193
Article 26	394	Article 9(1)	447
Organic Act No 1 of 2009	126	Article 10	50
Private Insurance Mediation Act (Act 26/2006)		Article 11	149, 279, 284
Article 12.1	394	Article 12	148, 279
Ships Insurance Policy		Article 12(3)	149
Article 26	394	Article 13	284
Sugar Charter Party 1999	413	Article 14	284
Supply of Goods and Services Act 1982		Article 15	284
section 13	19	Article 16	284
Supreme Court Act 1981		Article 17	104, 150,
section 37(1)	238	151, 155, 197, 284–5, 343, 351–9	
section 37(3)	238	Article 17.1	151, 153,
SYNACOMEX 2000 form	9	196, 198, 206, 208, 285	
Theft Act 1968		Article 17.2	37, 151,
section 1(1)	11	195, 196, 199, 200, 201–8, 206, 215, 216, 218, 285, 343, 351–4, 355	
Third Parties (Rights Against Insurers) Act 1930	71, 72	Article 17.3	37, 151,
Third Parties (Rights Against Insurers) Act 2010	71–2	200, 209, 218, 284, 285, 343, 351–4, 355	
section 17(1)	72	Article 17.4	200, 343,
Towcon International Towing Agreement		353, 355	
clause 18	177	Article 17.5	150, 151,
Turkish law		343, 353–4, 355	
Code of Obligations	87	Article 17.6	196, 200,
section 99	84, 88, 89	201–6, 216, 218, 343, 354–5, 357, 359	
section 100	84, 88, 89	Article 18	284
section 390	87	Article 19.1	23, 34,
section 391	87	35, 36, 37, 197	
Commercial Code		Article 19.2	36, 38
section 1	87	Article 19.4	34, 35
section 7	88, 89	Article 22	285–6
section 12	88, 89	Article 23	285
Code of Safety of Life and Goods at Sea		Article 23.1	104
section 5	84–5	Article 23.4	104
UCP 600	468	Article 24	286
Article 7(a)(ii)	176	Article 25	284
Article 16	10, 175, 176	Article 25.2	37
Articles 19–24	439	Article 25.3	104
UNCITRAL Model Law on International		Article 25.5	104
Commercial Arbitration	293	Article 26	22, 157,
UN Convention against Torture and other Cruel		278, 281, 284	
and Inhuman or Degrading Treatment or		Article 27	287
Punishment 1984	139, 141	Article 27.1	221–2, 357
UN Convention on Contracts for the		Article 28	287
International Carriage of Goods Wholly or		Article 29	222, 224, 287
Partly by Sea (Rotterdam Rules)	5–6, 22–3,	Article 30	287
50, 93, 96–105, 147–58, 181–94, 195–218, 274–90, 303–4		Article 30.1	357
Article 1	50	Article 30.2	357
Article 1.1	22, 33,	Article 30.3	357
149, 220, 279, 446		Article 31.1	223
Article 1.2	153, 223, 224	Article 31.2	358
Article 1.5	383, 384	Article 32	358
Article 1.6	34, 36,	Article 32(a)	105, 287
38, 197, 284		Article 33	288
Article 1.7	23, 34,	Article 34	224–5, 287
38, 286, 384		Article 35	54, 55, 282
Article 1.9	288	Articles 36–39	283
Article 1.10	447	Article 36	55, 287
Article 1.12	282	Article 36.1	223
Article 1.13	282	Article 36.2	223, 384, 386
Article 1.14	51, 282	Article 37	384, 388, 389
Article 1.15	51, 282, 446	Article 37.1	384–6
Article 1.16	52	Article 37.2	386–8
Article 1.18	51, 282	Article 37.3	388, 389
Article 2	216	Article 38	385, 388
Article 4	35, 36,	Article 40	283
197, 278, 286		Article 41	52, 55–6,
Article 4.1	23, 33–4,	190, 283	
35–6, 37–8		Article 43	183, 184
Article 5	22, 53,	Articles 43–44	283
220, 278		Articles 43–53	104
Article 6	22, 235,	Article 45	56, 283
236, 278, 279, 303		Article 46	52, 56,
		183, 283	

Article 47.1	56, 181, 283	Article 97(1)	121, 123
Article 47.2	51, 52-3, 55, 57, 181, 182, 184, 185-6, 188, 283	Articles 100-107	132, 133
Article 48	186, 283	Article 105	125, 129, 130
Articles 50-56	282	Article 106	124
Article 51	282	Article 109(4)	121
Article 51.1	56	Article 100	133
Article 51.2	52, 56	Article 110(1)	121, 124
Article 51.3	56	Article 110(3)	124
Article 52	283	Article 111(7)	121, 123
Article 54	283	Article 111(8)	124
Article 55	288	Article 113	121
Article 56	283	Article 122	482
Article 57	445, 446, 448, 449	Article 142(1)	121
Article 57(1)	447	Article 142(2)	121
Article 57(2)	447	Articles 192-203	484
Article 58	445, 446, 448, 449	Article 197	483
Article 58(2)	450	Article 207	482, 483
Article 58(3)	449	Article 214	61
Articles 59-60	37, 96	Article 246(1)	121
Article 59	96, 104, 157, 285	Article 246(8)	121
Article 60	286	UN Convention on the Rights of the Child ...	139, 141, 144
Article 61	103, 286	Article 2(1)	126
Article 62	37, 288	UN Convention relating to the Unification of Certain Rules concerning Collisions in Inland Navigation 1966 (Inland Navigation Collisions Convention)	
Article 63	288	Article 1(1)	198
Article 64	104, 288	Article 3	198
Article 65	104, 288	Article 4(1)	198
Article 66	289	US law	
Article 67	37, 289	COGSA	27, 28, 99, 108, 276, 277-8, 414
Article 70	289	section 4(5)	277
Article 72	289	section 7	276
Article 74	157, 289	Constitution of the United States	
Article 75	236, 289	Article III, section 2	276
Article 76	235, 236, 289, 303-4	Criminal Code 1790	127
Article 78	157, 289	Federal Arbitration Act 1922	294
Article 79	37, 38, 152, 182, 221, 225	section 1	294
Article 80	152, 154, 156, 223, 224	Federal Bills of Lading Act 1916 (the Pomerene Act)	108-9
Article 80.2	154, 155	section 9	54
Article 80.5	153	Harter Act 1893	90, 92
Article 81	284	Judiciary Act 1789	43
Article 82	22, 281-2	La. Civ. Code	
Article 91	157, 289, 304	Article 3429	47
Article 94.1	22	Article 3537	44
Article 95	98	La. Rev. Stat. Ann.	
Chapter 8	50	paragraph 22.868	45, 49
Chapter 10	56	Limitation of Shipowner's Liability Act 1851 ..	91
Chapters 14-15	37	Louisiana Direct Action Statute	45, 47
UN Convention on International Multimodal Transport of Goods 1980	279	paragraph 1269	48
Article 1	279	Model Penal Code	
UN Convention on the Law of the Sea (UNCLOS) 1982	6, 487, 493, 494	paragraph 1.04(2)	127
Article 19	125, 129, 130	paragraph 6.1	127
Article 27	121, 123, 124	paragraph 18	127
Article 28(1)	123	Ocean Liner Service Agreements	224
Article 34(1)	123	Restatement (Second) of Law of Contracts ..	379, 381
Article 34(2)	123	section 351(3)	379
Article 55	121, 123	Uniform Code 18 USC,	
Article 56(1)	121, 123	section 1651	127 18 USC,
Article 58	133	sections 1651-1661	127 18 USC,
Article 59	121, 123	section 2280	127, 136
Article 60(2)	121	Uniform Commercial Code	
Article 79(4)	121	sections 5-109	466, 475, 477
Article 86	135	Vienna Convention on the Law of Treaties	
Article 90	275	1980	
Article 91	123	Article 31(1)	216, 428
Article 92(1)	121	Article 32	428
Article 94	84, 121, 123	Vitoil Terms	
Article 95	121	clause 18	171
Article 96	121	Warsaw Convention on International Carriage by Air 1929	492
		Wreck Removal Convention	
		Article 12	61