

For legal advisors, risk managers and professionals involved in all aspects of the carriage of goods by sea this book will be a 'must'.

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A New Convention for the Carriage of Goods by Sea The Rotterdam Rules

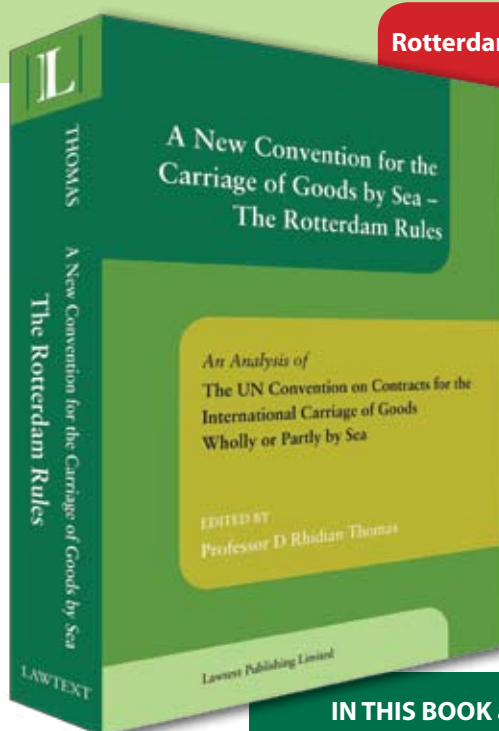
An Analysis of The UN Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea

Edited by
PROFESSOR D RHIDIAN THOMAS

The new Convention, known as the Rotterdam Rules and open for signature in September 2009, represents a radical attempt to establish a single, uniform, legal regime for the carriage of goods by sea.

THIS BOOK has been compiled specially in readiness for the signing and as an essential aid to all those concerned to absorb the complexities of the new Convention.

The response of the international community to the Rotterdam Rules will depend upon a full understanding of the Convention and this expert analysis provides a comprehensive and perceptive commentary of the principal provisions, implications and themes, with detailed comparisons to the Hague-Visby Rules and multimodal conventions.



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IN THIS BOOK a team of experts from all fields covered by the Rotterdam Rules provide the background to and acute analysis of the new approach while examining the relationship with the existing law.

Contents and Contributors

An introduction to the preparation, philosophy, and potential impact of the Rotterdam Rules

Professor Michael F. Sturley

Stanley D. and Sandra J. Rosenberg Centennial Professor of Law, The University of Texas School of Law

Multimodal transport under the Convention

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The liability regime of carriers and maritime performing parties

Professor D Rhidian Thomas

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The obligations of carriers to provide seaworthy ships and exercise care

Dr Theodora Nikaki

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The right of the carrier to exclude and limit liability

Professor Stephen Girvin

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Loss due to a combination of causes: burden of proof and commercial risk allocation

Dr Regina Asariotis

Chief, Policy and Legislation Section, Division on Technology and Logistics, United Nations Conference on Trade and Development (UNCTAD) Geneva

Obligations owed by the shipper to the carrier
Simon Baughen

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Transport documentation – the new approach

Professor Richard Williams

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Electronic alternatives to transport documents

Miriam Goldby

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Delivery of the goods, rights of the controlling party and transfer of rights

Professor G J van der Ziel

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Jurisdiction and arbitration

Professor Yvonne Baatz

Professor of Maritime Law and Member of the Institute of Maritime Law, University of Southampton

A critique of the Rotterdam Rules

Professor William Tetley

McGill Law Faculty, McGill University, Montreal

The Convention has taken much from the Hague, Hague-Visby and Hamburg Rules, however, in its reach, scale, detail and ambition it extends well beyond the boundaries of the preceding conventions, since it applies to:

- port to port contracts,
- multimodal contracts that incorporate a sea leg, and
- the increased use of electronic transport records.

It is more in the nature of an international maritime and commercial code and the intention is that its detailed 96 Articles will replace the existing conventions in what is a dramatic development in maritime and transport law.

ABOUT THE EDITOR

PROFESSOR D RHIDIAN THOMAS is Professor of Maritime Law and Director of the Institute of International Shipping and Trade Law at the School of Law, Swansea University. His principal research interests are in the fields of maritime law, marine insurance law, international trade and commercial law, and international arbitration law. He has held positions at several national and foreign universities and lectured internationally. He has published widely in academic journals and edited two recent volumes on time and voyage charterparties. He is a member of the CMI, British Maritime Law Association, Chartered Institute of Arbitrators and British Insurance Law Association.

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