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UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, April 2018

Program: MBA-PSM

Subject (Course): Marine Law

Course Code : MDSS826

No. of page/s: 3

Semester – IV

Max. Marks : 100

Duration : 3 Hrs

Section A

1. Write full form of following - (10*1= 20 Marks)

- 1.1 CLC.
- 1.2 PAL.
- 1.3 UNCLOS.
- 1.4 FAL.
- 1.5 B/L.
- 1.6 IOPC Fund.
- 1.7 EEZ.
- 1.8 LLMC
- 1.9 MARPOL
- 1.10 COGSA

2. Fill in the blanks – (10*1= 20 Marks)

- 2.1 Base line in UNCLOS is defined as _____ low water line depicted on coastal charts.
- 2.2 Territorial waters limit is _____ NM from base line
- 2.3 Contiguous Zone limit is _____ NM from base line
- 2.4 IOPC Fund contribution for single incident is _____ mSDR
- 2.5 Basic principle of Salvage is NO _____ NO PAY.
- 2.6 International Straits joins one EEZ to _____ .
- 2.7 Max liability of shipowner under CLC 92 is _____ mSDR.
- 2.8 Right of _____ passage can be suspended by states for security reasons.
- 2.9 The number of standard forms under FAL Convention are _____ .
- 2.10 MARPOL 73/78 Annex I deals with pollution caused by _____ .

Section B

3. Answer the following questions in not more than 2-4 lines - (10*2= 20 Marks)

- 3.1 What is the recourse in UNCLOS for conflict between two states?
- 3.2 What are the three tier of compensation scheme for pollution caused by oil?

- 3.3 Name any three maritime claims as per Brussels Arrest Convention 1952.
- 3.4 What is the difference between Common law and Statutory Law?
- 3.5 What are the different methods for dispute resolution?
- 3.6 Define Mareva Injunction.
- 3.7 What is clause Paramount?
- 3.8 Name all 5 Admiralty high courts of India.
- 3.9 What is seaworthiness?
- 3.10 What are the 3 main functions of Bill of Ladings?

SECTION C

4. Answer the any 6 of following questions in 80-120 words- (6*5=30 Marks)

- 4.1 Describe FAL Convention and standard and recommended practices.
- 4.2 Describe Athens Convention and liability of shipowner under new protocol.
- 4.3 Define following clauses : Both to blame Collision Clause, New Jason Clause & Himalaya Clause.
- 4.4 What is the legal significance of Bill of lading and Explain different types of B/L.
- 4.5 What are the differences between CLC 69 and CLC92?
- 4.6 Define following as per UNCLOS: a) Continental Shelf, b) Archipelago waters, c) International Straits.
- 4.7 Describe LLMC Conventions and liability regime under its Protocol.
- 4.8 What are the differences between Hague-Visby and Hamburg Rules?

SECTION D

5. Analyze the following Scenario-(6*5=30 Marks)

A crude oil tanker "M.T. OIL" was bound for port of Cochin while approaching from South distance from Indian coast approximately 210 NM and distance from Sri Lanka about 205 NM, when it collided with passenger ship "M.V. Rainbow" resulted in damage to both the vessels, injury to 10 passengers and 5 crew members of passenger ship and also lead to the major oil pollution caused by crude oil being carried as cargo in tanks of "M.T. OIL".

It was observed that pollutant was drifting in large quantity towards Sri Lankan EEZ. Passenger ship "M.V. Rainbow" continued on its passage to Colombo after exchanging compulsory information with tanker vessel.

Oil Tanker "M.T. OIL" initiated SOPEP informing nearest coastal states India and Sri Lanka and needed help of salvage boat to proceed to Singapore for carrying out the necessary repairs.

Sri Lanka government on receiving information about the extent and drift of oil pollution sent Naval ships to carry out cleanup operation. Sri Lankan Navy on reaching site found oil pollution too big to be handle by them and requested for help from Indian counterpart, which was accepted by Indian Govt agencies. Together Indian and Sri Lankan Naval forces were able to combat oil pollution and clean up operation completed after two days.

- 5.1 What information was exchanged between vessels after collision? How apportionment of blame for collision will be decided.
- 5.2 Can Sri Lankan Govt claim for compensation from oil tanker ship-owner for cleanup expenses though oil pollution occurred outside EEZ and under which Convention? How Indian Govt Agencies will be compensated for their efforts and expenses and under which convention?

- 5.3 How injured passengers and crew members will get compensated and max amount they can claim? What will be the contribution from each ship?
- 5.4 If oil tanker ship-owner refuses to pay Sri Lanka govt for oil clean-up operation what recourse does Sri Lanka have? Who provides the cover for oil pollution liabilities?
- 5.5 Salver's invoked SCOPIC clause, their total expenses were USD 200,000. How much amount Salvors will get from ship-owner and will cargo owners will also contribute and at what ratio?
- 5.6 If in the end oil tanker owner paid amount of USD 5 Million for oil pollution as compensation, how much will be the contribution of passenger ship if its fault in collision to be ascertained as 75%.

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1. Write full form of following - (10*1= 20 Marks)

- 1.1 FAL.
- 1.2 SOPEP.
- 1.3 UNCLOS.
- 1.4 FAL.
- 1.5 B/L.
- 1.6 OPRC.
- 1.7 EEZ.
- 1.8 MARPOL
- 1.9 SOLAS
- 1.10 COGSA

2. Fill in the blanks – (10*1= 20 Marks)

- 2.1 Base line in UNCLOS is defined as _____ low water line depicted on coastal charts.
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- 2.5 Basic principle of Salvage is NO _____ NO PAY.
- 2.6 International Straits joins one EEZ to _____ .
- 2.7 Max liability of shipowner under CLC 92 is _____ mSDR.
- 2.8 Right of _____ passage can be suspended by states for security reasons.
- 2.9 The number of standard forms under FAL Convention are _____ .
- 2.10 MARPOL 73/78 Annex IV deals with pollution caused by _____ .

Section B

3. Answer the following questions in not more than 2-4 lines - (10*2= 20 Marks)

- 3.1 What is charter party?
- 3.2 What are the three tier of compensation scheme for pollution caused by oil?
- 3.3 Name any three exclusions as per Hague Rules.
- 3.4 What is the difference between Common law and Statutory Law?
- 3.5 What are the different methods for dispute resolution?
- 3.6 Define Mortgage.
- 3.7 What is clause Paramount?
- 3.8 Name all 5 Admiralty high courts of India.
- 3.9 What is seaworthiness?
- 3.10 What are the 3 main functions of Bill of Ladings?

SECTION C

4. Answer the any 6 of following questions in 80-120 words- (6*5=30 Marks)

- 4.1 Describe OPRC and HNS-Protocol.
- 4.2 Describe Athens Convention and liability of shipowner under new protocol.
- 4.3 Define following clauses : Both to blame Collision Clause, New Jason Clause & Himalaya Clause.
- 4.4 What is the legal significance of Bill of lading and Explain different types of B/L.
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- 4.6 Define following as per UNCLOS: a) Continental Shelf, b) Archipelago waters, c) International Straits.
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