



Name :

Roll No. :

Invigilator's Signature :

CS/MBA (NEW)/SEM-3 (FT)/SHM-302/2010-11

2010-11

COMMERCIAL AND SHIPPING LAW

Time Allotted : 3 Hours

Full Marks : 70

The figures in the margin indicate full marks.

Candidates are required to give their answers in their own words as far as practicable.

GROUP – A

(Multiple Choice Type Questions)

1. Choose the correct alternatives for any *ten* of the following : 10 × 1 = 10

- i) Countrywide shipping activity is monitored and controlled by
 - a) Ministry of Shipping, Govt. of India
 - b) Directorate General of Shipping, Govt. of India
 - c) Mercantile Marine Department, Govt. of India.
- ii) Merchant Shipping Act, 1958, deals with
 - a) all shipping related issues within Indian coast limits
 - b) all shipping related issues of Indian vessels
 - c) all shipping related issues of foreign vessels.



- iii) Private Maritime Law deals with
 - a) laws which are exclusive and private to a Maritime country
 - b) law which deals with Maritime with non-Maritime nations
 - c) laws which governs conflict between private persons.

- iv) Maritime Law and Admiralty Law are
 - a) different sets of Maritime Laws of a country
 - b) same set of Maritime Laws of a country
 - c) exclusive Maritime Laws of Maritime countries.

- v) Countrywise Maritime Law to a Foreign Flag ship can be imposed in the areas of
 - a) Contiguous Sea
 - b) Exclusive Economic Zone
 - c) High Seas.



- vi) Legal regimes of Maritime areas are regulated by
- a) SOLAS'74
 - b) MARPOL'73
 - c) UNCLOS'82.
- vii) International convention on Maritime issues sets up
- a) Rules to be followed
 - b) Orders to be followed
 - c) Regulations to be followed.
- viii) For compensation under Hague rules involving carriage of goods by sea, it is imperative to prove
- a) Unsafe condition of a vessel
 - b) Unseaworthiness of a vessel
 - c) Unqualified manning of a vessel.
- ix) INCOTERMS in cargo-transportation emphasizes
- a) Rights and responsibility of a shipper
 - b) Rights and responsibility of a consignee
 - c) Rights and responsibility of both involving shipper and consignee inspects visiting vessels.

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- x) Port state control inspects visiting vessels on behalf of
 - a) Flag state
 - b) Port of the visiting country
 - c) IMO.

- xi) CLC mainly governs
 - a) compensations to be paid by ship owner
 - b) compensations to be paid by P & I club
 - c) compensations to be paid by both as stated.

- xii) Classification societies frame
 - a) ship building rules
 - b) ship safety rules
 - c) ship safety and pollution rules.

GROUP – B

(Short Answer Type Questions)

Answer any *three* of the following. $3 \times 5 = 15$

2. Explain collision liability clause in H/M Marine Insurance.

Which all areas of compensation does it cover ? What is its role with P & I club in the context ?



3. Enumerate different International regulations for protection of Maritime Environment. Out of all these regulations, which one is most important and why ?

4. With reference to P & I club, explain
 - i) Advance call

 - ii) Revised call

 - iii) Market call

 - iv) Overspil call.

5. Explain 'Deviation' and "Seaworthiness" as explained by Institute clauses of Marine Insurance. How does "seaworthiness" definition differ in M.S. Act, 1958 from that of Insurance ?

6. Which rule governs "General Average" ? In the same rule what are the functions of lettered and numbered rules ?

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GROUP – C

(Long Answer Type Questions)

Answer any *three* of the following. $3 \times 15 = 45$

7. Define applicability of M.S. Act, 1958. Under the same, how an inquiry and investigation is initiated against a shipping casualty ?
8. State the features of International conventions which govern carriers liability pertaining to carriage of goods by sea. Out of all established conventions which one in your opinion is most justified and why ?
9. Highlight features of Salvage Act, 1989 ? Under the same Act, how salvage reward and special compensation scopic clause is computed ?
10. Explain how a claim compensation to a P & I club is processed. In case a vessel is undergoing repair in a port, which all expenditures are not covered by P & I club ?



11. Highlight features of United Nations convention on International multimodal transport of goods. Under the said convention state

- a) issue of multimodal transport document
- b) liability of multimodal transport operator and his associated persons.

