



Name : .....

Roll No. : .....

Invigilator's Signature : .....

**CS / MBA(NEW) / SEM-3 FT / SHM-302 / 2011-12**

**2011**

**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) A dispute between an individual and a state in maritime trade is addressed by
    - a) Public international law
    - b) Private international law
    - c) Law of the sea
  - ii) A maritime act is applicable
    - a) within territory sea limits of a country
    - b) outside territory sea limits of a country
    - c) at high seas
  - iii) International maritime convention passes
    - a) regulations
    - b) rules
    - c) laws



- iv) Shipping contract obligations are
  - a) expressed
  - b) implied
  - c) both (a) and (b)
- v) Flag of convenience is acceptable to many shipping companies, because of
  - a) Tax benefit
  - b) Better safety
  - c) More business opportunity
- vi) A 'line' claim against a vessel can result in
  - a) Suspension of registration
  - b) Detention of the ship
  - c) Arrest of the ship
- vii) Registration of a vessel is required
  - a) for sailing in high seas
  - b) for its legal protection
  - c) both (a) and (b)
- viii) In India, admiralty cases are addressed in
  - a) all high courts
  - b) at selected high courts
  - c) at high courts situated at ports
- ix) "Limitation of liability" for personal injury / loss of life of a passenger on a 30,000 tonnage ship is
  - a) 2 million S.D.R. + 400 S.D.R./ton over 2000T
  - b) 2 million S.D.R. + 600 S.D.R./ton over 2000T
  - c) 2 million S.D.R.+ 800 S.D.R./ton over 2000T
- x) Prevention of Pollution from Ships (POPFS) Convention is popularly known as
  - a) Civil Liability Convention (CLC)
  - b) Marine Pollution Convention (MARPOL)
  - c) International Oil Pollution Fund Convention (IOPE)



- xi) M.A. Act 1958 has
  - a) 14 parts
  - b) 17 parts
  - c) 19 parts.
- xii) In a voyage, INCOTERMS in goods transportation by ships deals with
  - a) length of cargo responsibilities between shipper and buyer
  - b) length of cargo responsibilities between shipper & ship owner
  - c) length of cargo responsibilities between buyer and ship owner.

**GROUP – B**

**( Short Answer Type Questions )**

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

2. Highlight the features of MARPOL Convention 73/78 underlining party state govt. obligations.
3. What are the features of collision convention 72 ? Explain the role of marine insurance in collision cases and applicable currency type paid as damage compensations.
4. What is a 'Lien' claim in shipping business ? How is it different from other claims ? What are its different types ?
5. What is a civil liability in CLC Convention, 1969 ? What are different tiers of compensations paid under the convention and who bears the liability ?
6. Highlight scope of services of classification society surveyor. How does it differ from scope of flag state surveyors ?



**GROUP – C**

**( Long Answer Type Questions )**

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

7. Highlight objective and features of UNCLOS. How jurisdiction over sea is limited under the convention ? Illustrate with a diagram.
8. What are the features of SOLAS Convention ? Underline its objectives and role of port state control.
9. Illustrate administrative structure of ILO. Describe its day to day functioning procedure. How a labour convention is ratified ?
10. With respect to international ship operation, state the importance of marine insurance & its classification. Under the same, highlight important policies under each category of insurance.
11. What is a law of contract ? Enumerate essential elements of a valid contract. When the same can be void ? What are the remedies against a breach of contract in marine business ?

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