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Wilful Misconduct in International Transport Law

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**Michael Davey, Oliver Caplin, James
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Wilful Misconduct in International Transport Law Duygu Damar, 2011-07-17 The main rationale of the conventions on international transport law is to limit the liability of the carrier. However, an aspect common to these conventions is that in cases of wilful misconduct the carrier is liable without any financial limitation. Wilful misconduct denoting a high degree of fault is an established term in English law. The Convention for the Unification of Certain Rules relating to International Carriage by Air (Warsaw Convention of 1929) was the first international convention on transport law where the term was employed. A definition of wilful misconduct which can be found in later conventions regarding carriage of goods and passengers as well was implemented in the Hague Protocol of 1955 amending the Warsaw Convention. However, the question as to exactly which degree of fault constitutes wilful misconduct has to date remained controversial and unanswered. This work seeks to answer this question. To this end, the historical background of the term together with its function and role in marine insurance law, case law and international transport law are examined from a comparative perspective. **40 Years of the United Nations Convention on the Law of the Sea** Tomasz Kamiński, Karol Karski, 2025-01-15 This book discusses contemporary challenges within the law of the sea, a domain of international law extensively codified in the United Nations Convention on the Law of the Sea. Given the considerable time elapsed since the convention's adoption and nearly three decades of its implementation, the book analyses the interplay and influence of its provisions on international customary law as well as to identify issues arising from its application. The book explores and discusses crucial aspects of the law of the sea, addressing challenges and future perspectives related to UNCLOS provisions such as the delimitation of maritime areas, maritime security, safety, environmental protection and the implications of advancing technologies, particularly in the realm of unmanned vessels. Additionally, the book delves into recent maritime legal challenges arising from the conflict in Ukraine and the global impact of the COVID-19 pandemic. The book will be of interest to students and scholars in the field of the law of the sea, international relations and international law. The Open Access version of this book is available at <http://www.taylorfrancis.com>. It has been made available under a Creative Commons Attribution Non-Commercial No Derivatives (CC BY-NC-ND 4.0) license. **Civil Liability for Accidents at Sea** Sarah Fiona Gahlen, 2015-02-24 This book presents a study on civil liability for accidents at sea with a focus on the interests of parties that are not contractually participating in the maritime enterprise. Shipping and the maritime offshore industry are among the most international businesses in the world, and the operation of ships and facilities at sea can involve very different interests in a wide variety of relationships. Although there is an international legal framework that covers the most frequent types of cases, questions remain regarding the interplay of international and national legislation. Addressing those questions, the first part of this study analyses the rules and the limits of international regulation applicable at sea, namely regarding compensation for pollution damage. The second part focuses on the jurisdictional rules and conflict of law rules that may be used to deal with cases beyond the scope of international

legislation in accordance with the law of the sea *Uniform Law* Jürgen Basedow ,2024-11-04 Unified rules and principles are increasingly encountered in various sectors of private law Jürgen Basedow conducts a comprehensive and overarching analysis of the general framework of uniform law considering the continuous expansion as a legal response to globalisation

Miller's Marine War Risks Michael Davey, Oliver Caplin, James Davey, 2020-06-24 Miller's Marine War Risks is the only book devoted to drawing together and analysing the insurance of commercial shipping against war risks It merges analysis of the legal principles case law and legislation with the practice of the insurance market in order to provide commentary on difficult questions concerning liabilities claims and coverage With global events becoming more uncertain in the Gulf and elsewhere the updating of Michael Miller's classic text will be of great use to legal practitioners the insurance market and the shipping industry throughout the world Aviation Law: Cases, Laws and Related Sources Paul B. Larsen, Joseph

Sweeney, John Gillick, 2012-06-07 The flying public airlines and governments will all agree on one date that changed commercial flying that was September 11 2001 The first edition of Aviation Law Cases Laws and Related Sources described early consequences of that event particularly compensation of victims and early tightening of aviation security Subsequently laws and regulations affecting all aspects of aviation changed so rapidly that it became difficult to set a cut off date for the second edition The rapid flow of events made an update urgent Several gaps in the materials of the first edition became evident as the book was used The authors filled those gaps pruned old materials and added much new material describing not only the later developments but also evolving economics and flight technology The objective of the case book is to offer a basic handbook for air law practitioners providing them with a starting point for almost any subject they may encounter For example a lawyer specializing in liability law will quickly be able to find basic materials on the International Civil Aviation Organization ICAO air carrier licensing FAA certification and labor law The book continues to present aviation law from the American point of view Thus the book will be valuable for foreign air lawyers who are guiding foreign airlines in service to the very important North American pool of air traffic The book also explains the international scene to American air lawyers so that they may guide their clients who provide foreign service New chapters on liability for cargo damage and for ground damages have been added and new materials on the legal rights of lessors successors actual carriers and code shares A chapter on environmental regulation of aviation noise and emissions is also new All the main subjects listed in the first edition are significantly updated The three authors are veteran transportation lawyers and continue their activities in this field **Research Handbook on Maritime Law and Regulation** Jason Chuah, 2019 There have been important

developments in commercial practice technology shipping infrastructure and sustainability policies in recent times This Research Handbook examines the major themes surrounding the thinking and studies of maritime law and practice The stellar panel of contributors take a diverse range of approaches to identify any emerging theoretical and conceptual perspectives in law on what is essentially a fast paced sector of the global economy **Diritto europeo dei trasporti**

Robert H. Wijffels, J. Vrebos, 2004 *The Carriage of Goods in Swiss Law* Vesna Polić Foglar, 2022-08-19 The Swiss legal regime differs considerably from the regimes of its neighbouring countries Swiss law on the carriage of goods is based on the provisions of the Code of Obligations from the early 20th century Some other laws various ordinances and international conventions that govern different modes of transportation also apply All this makes this field of law complex not only for non Swiss professionals This book gives a comprehensive overview of the contract of carriage and the carriers and freight forwarders liability the insurance of goods and of liability the jurisdiction of Swiss courts and the possibilities of recourse actions The Carriage of Goods in Swiss Law provides valuable knowledge to properly handle transport business claims and insurance It offers reflections on the shortcomings and the development of Swiss laws and regulations Written for practitioners and lawyers in the country and abroad the book can serve to all those whose claims may be decided before a Swiss court Vesna Polić Foglar is an of counsel in Zurich with over 20 years of experience She specialises in Swiss transport law the international carriage of goods transport insurance and in dealing with transport claims *International Law Chiefly as Interpreted and Applied by the United States* Charles Cheney Hyde, 1922 California. Court of Appeal (2nd Appellate District). Records and Briefs California (State)., Number of Exhibits 6_x005F_x000D_ Received document entitled RECORD IN SUPPORT OF PETITION FOR WRIT **Lloyd's Maritime and Commercial Law Quarterly** Lloyd's (Firm), 2003 **Denver Journal of International Law and Policy** , 2013 International Carriage of Goods by Road Malcolm Alistair Clarke, 2003 A comprehensive guide to the workings of the Convention on the Contracts for the International Carriage of Goods by Road **The Law Reports, Weekly Law Reports, and Industrial Cases Reports** , 2001 *Transportation, Logistics, and the Law* William J. Augello, 2004 *A Treatise on the Law of Carriers* Dewitt Clinton Moore, 1914 **The Consolidated Index to Leading Law Reports** , 1991 **Bulletin of Information on the Work of International Organizations** League of Nations, 1922 Contains information concerning congresses held since Apr 1922 **Quarterly Bulletin of Information on the Work of International Organisations** , 1922 The quarterly bulletin contains information concerning Congresses held since Apr 1922

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