

# ICLP-CCC CERTIFICATE COURSE ON SHIPPING LAW AND PRACTICE

## SYLLABUS

The syllabus is designed to provide participants with a detailed knowledge of both Sri Lankan law and practice relating to Shipping industry.

The syllabus is divided into seven parts as follows:

### 1) General introduction to Maritime Law

**Dr Harsha Cabral PC**

Introduction to the program

**Mr K.Kanag – Isvaran PC**

**a) Law of the Sea-** An area on Public International Law.

- i) Sea Areas i.e. – territorial Waters, EEZ, Continental Shelf, High Seas, Contiguous Zone
- ii) Right of the Coastal state to this sea area.
- iii) Right of innocent passage.
- iv) Sri Lanka's claim to the continental shelf.
- v) Transgressing in territorial waters of other countries without approval or prior notice
- vi) Explosions , Piracy- capture by hostile group etc
- vii) ISPS Code –Ships and Port Security
- viii) Sources of Law- Hard Law & Soft Law (Customary Law of the, Conventions on Law of Sea
- ix) Settlement of Disputes

**Dr Malika Gunasekera- Attorney at Law, Principal Law Lecturer, CINEC Maritime Campus**

**b) Shipping Law-** An area of private International Law.

- i) What is Shipping law
- ii) Overlapping areas of shipping law and law of the sea  
i.e. - Port state control, flag state control, maritime pollution- CLC convention, MARPOL.
- iii) International Maritime Organization.

**Mr Chandaka Jayasundara Attorney at Law**

- iv) Sale of Ships, Mortgage of ships, Ship brokering, Ship Financing

**Mr Sarath Gunawardena- Attorney at Law**

- v) General average, Salvage, Towage

### 2) Admiralty Law

**Justice P.A. Ratnayake**

- i) Actions in Rem and Actions in Personam.
- ii) Ship Arrests, New Arrest of Ships Convention, Counter Security, Aspects of Forum Shopping.
- iii) Priority of claims i.e. – Maritime Claims, Maritime Liens, Mortgages.  
Maritime Arbitration

### 3) Carriage of Goods by sea

**Ms Anoma Ranasinghe (FICS UK)**

- i) Liner Shipping, Tramp Shipping, Containerizing

**Mr Chandaka Jayasundara, Attorney at Law**

- ii) Charterparties- Types of Charterparties/ liabilities between ship owner and third parties involved , Bills of lading issued under a Time or Voyage Charter Party- Case Law  
Electronic Commerce-Electronic Shipping Documents , Electronic Transaction Act

**Mr Malika Gunasekera, Principal Law Lecturer , CINEC Maritime Campus**

- iii) Hague, Hague Visby and Hamburg rules.

**Ms Indika D.de Silva-(Deputy Solicitor General)**

- iv) Carriage of Goods by Sea Act and Case Law

**4) Marine Insurance.**

**Mr Sarath Gunawardena (Attorney at Law)**

- i) P & I clubs.
- ii) Lloyds standard forms of insurance (Institute Time Clauses), formation of a contract of Marine Insurance.
- iii) Basic principals of Marine Insurance i.e.- Non disclosure (Uberimae Fides), Misrepresentation, Total loss/ constructive total loss/ partial loss.
- iv) Hull Machinery and War Insurance

**5) Port Operations**

**Mr Upul Jayatissa (SLPA)**

- i) Port and Harbour Infrastructure, future Port Projects, Important Provisions of Ports Authority Act
- ii) Container Terminal Operation
- iii) Container Freight Station Operation, Transshipment cargo operation, Special cargo handling
- iv) Passenger/ferry/cruise terminal operation
- v) Liquid and Dry Bulk cargo handling operation
- vi) Automobile handling Operation
- vii) Break Bulk Cargo handling Operation
- viii) Dangerous Cargo handling Operations
- ix) Multimodal Transport & Combined Transport Operations-Introduction

**Capt. Palitha De Lannerolle (Master Mariner)**

- viii) Flagging of Ships, Ship Owning Companies, Classification Societies
- ix) Shipping services – ship supplies,
- x) Manning of ships, Master and Crew, Master and Pilot relationship, Employment and welfare, STCW Convention, Log Books
- xi) Bringing a ship to port, Pilotage, Ship Bunkering

**Mr Chandaka Jayasundara (Attorney at Law)**

- xii) Multimodal Transport Law.

**Mr M.S.M. Niyaz (Freight Forwarder)**

- xiii) Shipping Agencies
- xiv) Freight Forwarding

**6) Custom Formalities**

**Mr M.R.Rajmohan, Attorney at Law- Superintendent of Sri Lanka Customs (Legal Affairs)**

- i. Customing goods in Sri Lanka  
Concepts, Processes, Actions, Aspirations, Concerns and Laws
- ii. Entre port Trade Procedures & Automated Cargo Clearance System (EDI)

**7) International Trade**

**Mr Lalith Witanachchi (FICS UK)**

- i) Documentation in International Trade, Types Bills of lading, Cargo Manifest and other documentation

**Mr Chullanté Jayasuriya (Chartered Transportant)**

- ii) INCO Terms 2000/2010

**Mr Nilam Jumat (Professional Banker)**

- iii) Letter of Credit and UCP 600

**Guest Lectures**

**By Mr Vikum de Abrew, Senior State Counsel**

**International Marine Environmental Law (SOLAS Convention, UNCLOS)**

**Marine Security and Role of Director General , Merchant Shipping**