

**Subject card**

<b>Subject name and code</b>	Maritime law - lecture, PG_00137814						
<b>Field of study</b>	Law						
<b>Date of commencement of studies</b>	October 2024	<b>Academic year of realisation of subject</b>			2027/2028		
<b>Education level</b>	uniform Master's studies	<b>Subject group</b>			Obligatory subject group in the field of study		
<b>Mode of study</b>	full-time studies	<b>Mode of delivery</b>			at the university		
<b>Year of study</b>	4	<b>Language of instruction</b>			Polish		
<b>Semester of study</b>	7	<b>ECTS credits</b>			3.0		
<b>Learning profile</b>	academic	<b>Assessment form</b>			exam		
<b>Conducting unit</b>	Faculty of Law and Administration -> Rector						
<b>Name and surname of lecturer (lecturers)</b>	<b>Subject supervisor</b>		mgr Jakub Puszkarski				
	<b>Teachers</b>						
<b>Lesson types</b>	<b>Lesson type</b>	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	<b>Number of study hours</b>	30.0	0.0	0.0	0.0	0.0	30
	E-learning hours included: 0.0						
<b>Learning activity and number of study hours</b>	<b>Learning activity</b>	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	<b>Number of study hours</b>	30		0.0		45.0	75
<b>Subject objectives</b>	Acquiring knowledge of maritime law, including maritime navigation law and in-depth knowledge of legal institutions and procedures that apply to human activities in the marine environment using seagoing vessels, with particular emphasis on: the proper implementation of legal standards of maritime safety and the prevention of marine pollution by ships; the legal position of the captain of a seagoing vessel; investigating the causes and circumstances of maritime accidents; standards of work on seagoing vessels; management of seagoing vessels and the carriage of cargo and passengers by sea; agreements for the use of seagoing vessels; maritime insurance.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language	has in-depth skills in preparing oral presentations, in Polish and a foreign language, in the field of maritime law (national and international)	[SU4] test/exam - oral or written
	[PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language	has in-depth skills in preparing various written works in Polish and a foreign language related to the professional work performed	[SU4] test/exam - oral or written
	[PRAWOJ5_KO03] He/she is prepared for active participation in groups, organizations and institutions connected with law, is also able to communicate with specialists and non-specialists in the field of law	is ready to actively participate in groups, organizations and institutions carrying out professional activities related to maritime law, and is also able to communicate with people who are and are not specialists in the field of maritime law	[SK1] oral statement/conversation/discussion [SK4] test/exam - oral or written
	[PRAWOJ5_UU12] He/she acquires knowledge efficiently and develops his/her professional skills using various sources (in native and foreign language) and modern technologies	is able to efficiently acquire knowledge in the field of maritime law	[SU4] test/exam - oral or written
	[PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work	efficiently uses legal principles and norms in the field of maritime law and professional law in the professional activity undertaken	[SU1] oral statement/conversation/discussion [SU4] test/exam - oral or written
	[PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately	prepares for his/her work responsibly, is able to determine work priorities and plan work appropriately in entities related to the maritime economy	[SK1] oral statement/conversation/discussion [SK4] test/exam - oral or written
	[PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work	is able to perceive, analyze and has the ability to diagnose legal issues in professional work, in particular in the area of maritime law	[SU1] oral statement/conversation/discussion [SU4] test/exam - oral or written
	[PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities	has structured knowledge of the types of maritime law relations	[SW4] test/exam - oral or written
	[PRAWOJ5_UW07] He/she has the skills in understanding and analyzing social phenomena and utilizing this analysis in his/her professional work.	has a developed ability to understand and analyze social phenomena and use this analysis in work in maritime economy entities	[SU4] test/exam - oral or written
	[PRAWOJ5_UW02] The graduate utilizes theoretical knowledge in legal science and the connected academic disciplines to analyze and interpret complex legal issues	is able to use and integrate theoretical knowledge of maritime law and related scientific disciplines in order to analyze and interpret complex legal problems	[SU4] test/exam - oral or written
	[PRAWOJ5_UW01] He/she has advanced skills in observation and interpretation of social phenomena, analyzes their connections with various areas, activity of legal science and the related disciplines	has in-depth skills in observing and interpreting social phenomena, and analyzes their connections with maritime law	[SU4] test/exam - oral or written
	[PRAWOJ5_WG02] He/she knows wide terminology and concepts in the scope of law and connected disciplines	has advanced knowledge of the terminology and concepts of maritime law and related fields	[SW4] test/exam - oral or written
	[PRAWOJ5_KK02] He/she is aware of the necessity to widen professional competences and qualifications, to improve skills, is able to indicate the direction of own development and education independently in widened and deepened way	is aware of the need to expand professional competences and qualifications	[SK1] oral statement/conversation/discussion [SK4] test/exam - oral or written
	[PRAWOJ5_KK01] The graduate is deeply aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning	has a deepened awareness of the level of his/her knowledge and skills in maritime law and international law of the sea, and understands the need for lifelong learning	[SK4] test/exam - oral or written

	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_UO11] He/she can work well in a team and can coordinate the team's work when solving legal problems, interpreting legal acts, and preparing written or oral opinions on a matter.	is able to work in a team and is able to coordinate the work of the team in solving problems related to maritime law, as well as the interpretation of legal acts in the area of national maritime law and conventional (international) law	[SU4] test/exam - oral or written
	[PRAWOJ5_KR07] The graduate is ready to take up professional challenges, takes up efforts and is persistent in the implementation of individual and group activities in the creation, application or interpretation of legal regulations and related sciences	is ready to take on professional challenges, makes an effort and is persistent in carrying out individual and team activities in the field of maritime law	[SK4] test/exam - oral or written

## Subject contents

1. Maritime Law - Introduction
  - 1.1. The Concept of Maritime Law and International Law of the Sea
  - 1.2. Sources of Maritime Law
  - 1.3. The Subject Matter of Maritime Law Regulation
  - 1.4. Subjects of Maritime Law
  - 1.5. The Role and Function of Maritime Law
  
2. Rights and Obligations of the Coastal State in Maritime Areas
  - 2.1. Polish Maritime Areas - Legal Status
  - 2.2. Structure of Maritime Administration in Poland
  - 2.3. Competencies of Maritime Administration Bodies
  - 2.4. Maritime, Flag, and Port Inspection
  - 2.5. Recognized Organization
  
3. Seaworthiness of a Ship in Doctrine and Jurisprudence
  - 3.1. The Concept of a Seagoing Ship
  - 3.2. The Concept of Seaworthiness and Cargoworthiness
  - 3.3. Necessary Conditions for a Ship's Seaworthiness
  - 3.4. Due Diligence - Carver's Test
  - 3.5. Ship accidents due to unseaworthiness
  
4. Legal Position of the Captain of a Seagoing Ship
  - 4.1. Rights and Obligations of the Captain of a Seagoing Ship
  - 4.2. Management of a Seagoing Ship: Captain as Supervisor of the Seagoing Ship's Crew, Captain as Representative of the Shipowner and Persons Interested in the Cargo
  - 4.3. Diligence of a Conscientious Captain Case Study
  - 4.4. Legal Status of the Captain in a Time Charter: Responsibility for the Operation of a Seagoing Ship Case Study
  - 4.5. Public Law Functions of the Captain of a Ship
  
5. Legal Standards of Maritime Safety
  - 5.1. The Concept of Maritime Safety
  - 5.2. The Concept of Safety of Life at Sea: From the Titanic to the Costa Concordia Case Study
  - 5.3. Legal Standards of Maritime Safety SOLAS Convention
  - 5.4. Legal Standards of Maritime Safety IMO Codes
  - 5.5. Legal Standards of Maritime Safety in Polish Law
  
6. Monitoring Compliance with Legal Standards of Maritime Safety
  - 6.1. Types of violations of maritime safety legal standards
  - 6.2. Flag State Control (FSC) - procedures
  - 6.3. Port State Control (PSC) - procedures
  - 6.4. Violations of maritime safety legal standards: involvement of the human factor (including human error) - a case study
  
7. Maritime Safety Culture
  - 7.1. Managing the Safe Operation of Seagoing Ships ISM Code
  - 7.2. Technical Management
  - 7.3. Crew Management
  - 7.4. Cargo Management (Commercial)
  - 7.5. Continuous Improvement of the Safety Management System (SMS)
  
8. Investigation of the Causes and Circumstances of Marine Accidents
  - 8.1. Definition of a Marine Casualty and Marine Incident
  - 8.2. Accident Investigation Code
  - 8.3. Proceedings in Marine Casualty Cases Before Maritime Chambers
  - 8.4. Investigation of the Circumstances and Causes of Marine Accidents by the State Commission on Maritime Accident Investigation: PBWM Reports Case Study
  - 8.5. Impact of Safety Recommendations on Maritime Safety
  
9. Security of Shipping and Seaports
  - 9.1. The Concept and Scope of Ship and Port Facility Security in the Context of Maritime Security
  - 9.2. Preventing and Remediating Unlawful Acts Against the Security of Maritime Navigation: Maritime Piracy, Maritime Terrorism Case Study
  - 9.3. International Ship and Port Facility Security Code - ISPS Code
  - 9.4. Shipping and Seaport Security Measures in Polish Legislation
  - 9.5. Cyber Risk Management
  
10. Legal Standards for the Prevention of Pollution from Ships
  - 10.1. Legal Standards for the Prevention of Pollution from Ships MARPOL Convention
  - 10.2. Reducing Ozone-Depleting Emissions from Seagoing Ships in the Context of Climate Change
  - 10.3. Mandatory Energy Efficiency Measures for Seagoing Ships
  - 10.4. Oil Spills with Catastrophic Consequences for the Marine Environment Case Study
  - 10.5. "Plastic in the Ocean" Case Study

	<p>11. Maritime Labor Law  11.1. Status of the Master of a Seagoing Ship and Their Crew  11.2. Working and Living Conditions for Seafarers on Seagoing Ships MLC Convention  11.3. Employment Services for Persons Seeking Employment on Seagoing Ships  11.4. Seafarer Employment Agreement  11.5. MLC documents and inspections and audits of seafarers' working and living conditions on board a seagoing vessel, procedures for filing and handling seafarers' complaints</p> <p>12. Carriage of cargo by sea  12.1. Contract for the carriage of cargo by sea: types of contracts (charter party, booking), their legal nature, and the rights and obligations of the parties  12.2. Bill of lading: paper and electronic form  12.3. Standard of due diligence of a maritime carrier in the performance of a contract for the carriage of cargo by sea - a case study  12.4. Liability of a maritime carrier: Hague-Visby Rules, Hamburg Rules, Rotterdam Rules, Maritime Code  12.5. Limitation of liability for maritime claims</p> <p>13. Contracts for the Use of a Seagoing Vessel  13.1. Legal Nature of a Contract for the Use of a Seagoing Vessel  13.2. Time Charter  13.3. Charter by Demise  13.4. Bareboat Charter  13.5. Slot Charter</p> <p>14. Carriage of Passengers and Their Luggage by Sea  14.1. Athens Convention relating to the Carriage of Passengers and Their Luggage by Sea  14.2. Concepts of Passenger and Carrier  14.3. Rights and Obligations of Passengers Traveling by Sea: Protection of Passenger Rights Case Study  14.4. Rights and Obligations of the Carrier  14.5. Liability of Passenger Carriers on Maritime Waterways in the Event of Accidents</p> <p>15. Maritime Insurance Law  15.1. Classification of Marine Insurance  15.2. Marine Insurance Contract  15.3. Risks and Perils: General Average Case Study  15.4. Compulsory Marine Insurance  15.5. Mutual Insurance - P&amp;I Clubs</p>								
Prerequisites and co-requisites									
Assessment methods and criteria	<table border="1"> <thead> <tr> <th>Subject passing criteria</th> <th>Passing threshold</th> <th>Percentage of the final grade</th> </tr> </thead> <tbody> <tr> <td>Written exam</td> <td>51.0%</td> <td>100.0%</td> </tr> </tbody> </table>			Subject passing criteria	Passing threshold	Percentage of the final grade	Written exam	51.0%	100.0%
Subject passing criteria	Passing threshold	Percentage of the final grade							
Written exam	51.0%	100.0%							
Recommended reading	Basic literature	<p>Prawo morskie. Komentarz. red. D. Pyć, C. Łuczywek, I. Zużewicz-Wiewiórowska, Wolters Kluwer, Warszawa 2022</p> <p>Leksykon prawa morskiego. 100 podstawowych pojęć, red. D. Pyć, I. Zużewicz-Wiewiórowska, Warszawa 2020</p> <p>Prawo morskie, t. 1, red. J. Łopuski, Bydgoszcz 1996</p> <p>Prawo morskie, t. 2, cz. 1, Prawo żeglugi morskiej, red. J. Łopuski, Bydgoszcz 1998</p> <p>Prawo morskie, t. 2, cz. 2, Prawo żeglugi morskiej, red. J. Łopuski, BydgoszczToruń 2000</p>							

	Supplementary literature	<p>Aikens R., Lord R., Bools M., Bolding M., Toh K.S., Bill of Lading, New York 2021</p> <p>Argüello G., Marine Pollution, Shipping Waste and International Law, AbingdonNew York 2020</p> <p>Koziński M.H., Morskie prawo publiczne, Gdynia 2015</p> <p>Młynarczyk J., Prawo morskie, Gdańsk 2002</p> <p>McConnell M.L., Devlin D., Doumbia-Henry C., The Maritime Labour Convention, 2006: A Legal Primer to an Emerging International Regime, Martinus Nijhoff Publishers Leiden-Boston, 2011</p> <p>Nawrot J., Międzynarodowe prawo bezpieczeństwa morskiego, C.H. Beck, Warszawa 2019</p> <p>Power V., EU Shipping Law, t. 12, Oxon 2019</p>
	eResources addresses	
Example issues/ example questions/ tasks being completed		
Work placement	Not applicable	

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