

## Course guide

### 280651 - 280651 - Maritime Legislation

Last modified: 28/06/2023

**Unit in charge:** Barcelona School of Nautical Studies  
**Teaching unit:** 742 - CEN - Department of Nautical Sciences and Engineering.  
**Degree:** BACHELOR'S DEGREE IN MARINE TECHNOLOGIES (Syllabus 2010). (Compulsory subject).  
**Academic year:** 2023    **ECTS Credits:** 3.0    **Languages:** Spanish

#### LECTURER

**Coordinating lecturer:** CARLES DOMINGO AZÓN - JAIME RODRIGO DE LARRUCEA  
**Others:** Primer quadrimestre:  
CARLES DOMINGO AZÓN - DT, GTM

#### DEGREE COMPETENCES TO WHICH THE SUBJECT CONTRIBUTES

**Specific:**  
GTM.CE17. Knowledge, use and application to ship the principles of the laws and regulations marina.

**STCW:**  
ME.1. A-III/1-4. Function: Controlling the operation of the ship and care for persons on board at the operational level  
ME.2. A-III/1-4.6 Monitor compliance with legislative requirements  
ME.3. A-III/1-KUP 4.6.1 Basic working knowledge of the relevant IMO conventions concernint safety of life at sea, security and protection of the marine environment

#### TEACHING METHODOLOGY

Receive, understand and synthesize knowledge. Analysis and solve problems

#### LEARNING OBJECTIVES OF THE SUBJECT

Knowledge, use and application to the vessel and the marine environment of the principles of law and maritime law including safety regulations. This knowledge is necessary in accordance with SCTW78/2010 Code.

#### STUDY LOAD

Type	Hours	Percentage
Hours medium group	2,0	2.67
Hours large group	28,0	37.33
Self study	45,0	60.00

**Total learning time:** 75 h

## CONTENTS

### 3. INTRODUCTION TO THEORY OF LAW. LAW OF THE SEA. MARITIME LAW AND LAW OF THE SEA

**Description:**

Introduction to Law: General Theory of Law. Nature of International Law. International organizations: Special study of the International Maritime Organization (IMO / IMO). International Conventions on the Safety of Life at Sea International Conventions for the Prevention and Control of Pollution Marina. Control port status: Paris Memorandum (MOU) and similar agreements (Tokyo, Viña del Mar). Legal proceedings. Survey of ship: Seaworthiness.

**Specific objectives:**

Basic and practical knowledge of relevant IMO conventions concerning safety of human life at sea and protection of the marine environment.

**Related activities:**

Readings scheduled and work with original sources and materials

**Related competencies :**

CE17. Knowledge, use and application to ship the principles of the laws and regulations marina.

**Full-or-part-time:** 14h 20m

Theory classes: 6h

Self study : 8h 20m

### 2. LAW OF THE SEA

**Description:**

Evolution of law of the sea. Nationality of ships. The phenomenon of Flags of Convenience. The Second Records, Open Records and Records Off-Shore. Maritime areas and lines of Base. Review of the United Nations Convention on the Law of the Sea Montego Bay 1982 III UNCLOS

**Specific objectives:**

Knowledge of maritime areas: limitations, delineation, use, etc..

**Related competencies :**

CE17. Knowledge, use and application to ship the principles of the laws and regulations marina.

**Full-or-part-time:** 13h 20m

Theory classes: 5h

Self study : 8h 20m

### 3. MARITIME LAW INSTITUTIONS

**Description:**

The Ship Owner. The legal figure of the Master of the ship. The figure of the chief engineer. Auxiliary of the shipowner, the ship agent. Brief review of the main institutions of Maritime Law: General Average; Salvage; Marine Insurance.

**Specific objectives:**

Introduction to the Operators of Shipping Business

**Related competencies :**

CE17. Knowledge, use and application to ship the principles of the laws and regulations marina.

**Full-or-part-time:** 13h 20m

Theory classes: 5h

Self study : 8h 20m

#### 4. MARITIME LAW GOVERNEMENT

**Description:**

Central Maritime Administration: structure and powers. Special reference to the Peripheral Administration, the Maritime Authorities. Regional Government: competencies. Institutional Administration, and competition authorities. Corporate Maritime Administration.

**Specific objectives:**

Knowledge of Spanish and international maritime administration. Areas of competence of the different administrations in relation to the sea and maritime transport.

**Related competencies :**

CE17. Knowledge, use and application to ship the principles of the laws and regulations marina.

**Full-or-part-time:** 14h

Theory classes: 5h

Self study : 9h

#### 5. SURVEY OF SHIPS

**Description:**

Inspection of ships: National legislation. Offences and penalties. Classification Societies: Concept, purpose and responsibility for them.

**Specific objectives:**

Control of maritime safety and seaworthiness through inspection. Public and private controls.

**Related activities:**

Control of maritime safety and seaworthiness through inspection. Public and private controls.

**Related competencies :**

CE17. Knowledge, use and application to ship the principles of the laws and regulations marina.

**Full-or-part-time:** 20h

Theory classes: 7h

Self study : 13h

### GRADING SYSTEM

The final score is the sum of the following partial grades:

$N_{\text{final}} = 0.5 \cdot N_{\text{PF}} + 0.5 \cdot N_{\text{AC}}$

$N_{\text{final}}$ : final grade.

$N_{\text{PF}}$ : final exam grade.

$N_{\text{AC}}$  continuous assessment.

The final exam consists of a questions about concepts associated with learning objectives of the course with regard to knowledge or understanding, and a set of application exercises. It has 2 hours to do it. Continuous assessment involves making activities, both individual and group training and added character, made during the year (in the classroom and outside of it). The re-evaluation will make sure with a general overall exam , and normally after one week. It 's possible.

### EXAMINATION RULES.

In no case shall dispose of materials or supplies or other legal document or sources on controls or exams.

## BIBLIOGRAPHY

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### Basic:

- Rodrigo de Larrucea, Jaime. documentos y certificados del buque para ing. marinos-oficiales de máquinas [on line]. 2020 [Consultation: 09/09/2022]. Available on: <http://hdl.handle.net/2117/331739>.
- Rodrigo de Larrucea, Jaime. El reglamento de inspección y certificación de buques civiles [on line]. 2012 [Consultation: 09/09/2022]. Available on: <http://hdl.handle.net/2117/16650>.
- Rodrigo de Larrucea, Jaime. "El contrato de Clasificación del buque". Los contratos sobre el buque en derecho español : análisis práctico [on line]. Madrid: Universidad Carlos III, 2018. pàg. 447-463 [Consultation: 09/09/2022]. Available on: <http://hdl.handle.net/2117/125886>.
- Gabaldón García, José Luis; Ruiz Soroa, José María. Manual de derecho de la navegación marítima. 3a ed. Barcelona: Marcial Pons, 2006. ISBN 8497683129.
- Pulido Begines, Jose Luis. Instituciones de derecho de la navegación marítima. Madrid: Tecnos, 2009. ISBN 9788430949311.
- Ruiz Soroa, J. M. Manual de derecho accidentes de la navegación. 2a ed. Bilbao: Escuela de Administración Marítima, Gobierno Vasco, 1992.

### Complementary:

- Orihuela Calatayud, Esperanza. España y la delimitación de sus espacios marinos. Murcia: Secretariado de publicaciones de la Universidad de Murcia, 1989. ISBN 8476841604.
- Latorre, Ángel. Introducción al derecho. 13a ed. Barcelona: Ariel, 1997. ISBN 843441032X.
- Scovazzi, Tullio. Elementos de derecho internacional del mar. Madrid: Tecnos, 1995. ISBN 8430927263.
- Díez de Velasco Vallejo, Manuel. Instituciones de derecho internacional público. 12a ed. Madrid: Tecnos, 1999. ISBN 8430934464.
- Harris, David John. Cases and materials on international law. 4a ed. London: Sweet & Maxwell, 1991. ISBN 0421374802.