

[A-5/A-13/A-21]

SARDAR PATEL UNIVERSITY

B.A/ B.B.A/ B.COM.,LL.B. (HON.) (5 YEARS INTEGRATED LAW)

IX Semester Examination

November 2016

Monday, 28th November 2016

10.00 A.m. to 12.00 p.m.

UL09CBLH09

MARITIME LAW (IL) HON.- VI

1. Multiple Choice Questions

10

- I) Which of the following is not covered under the 'contract of Indemnity'
- A. Fire insurance
 - B. Theft insurance
 - C. Life insurance
 - D. Marine insurance
- II) International maritime organization was established in
- A. 1959
 - B. 1943
 - C. 1948
 - D. 1940
- III) Who authorizes Mercantile Agents to buy or sell goods?
- A. Commercial agent
 - B. Principal
 - C. Broker
 - D. Agent
- IV) The fee charged by the insurer on account of providing services is called.....
- A. Assured
 - B. Insurance
 - C. Policy
 - D. Premium
- V) What is the 'equitable result' in the law and practice of maritime delimitation?
- A. It is the only method of delimitation that international courts and tribunals follow
 - B. An equitable result is what a judge or the arbitrator would decide *ex aequo et bono*, i.e. upon their discretion and in light of what they consider as fair and equitable in a delimitation case
 - C. It is the end result that all delimitation of areas of continental shelf and EEZ should achieve, after, however, drawing a provisional 'equidistance line' and adjusting the zone in the light of the relevant circumstances and the proportionality test.
 - D. Achieving an equitable result is an old method of delimitation which is currently not applicable.
- VI) Do third States enjoy any fishing rights within the Exclusive Economic Zone of another State?
- A. When the coastal State cannot harvest the 'total allowable catch', the coastal State is to give other State access to that surplus with priority to be given to developing and land-locked State
 - B. Third States may never have access to fisheries within another State's EEZ

- C. The coastal State is to give access to fisheries within its EEZ only to neighboring States
- D. Third States are free to fish within another EEZ, except from certain designated areas

VII) International Maritime Organization is governed by

- A. Assembly of members
- B. permanent secretariat of employees
- C. Secretary General
- D. Executive Council

VIII) International Maritime Organization is a specialized agency of

- A. European Union
- B. UN General Assembly
- C. UN Security Council
- D. United Nations

IX) International organization whose purpose is to provide framework of shipping safety, legal matters of shipping and security of shipping is known as

- A. International Waters Recorder
- B. International Waters Controller
- C. International Maritime Organization
- D. International Hydrographic organization

X) When coastal States do enforce their criminal jurisdiction over foreign vessels in their ports?

- A. Port States generally do not enforce their criminal jurisdiction over crimes that do not infringe their customs laws or disrupt peace and public order.
- B. Port States generally do not enforce their criminal jurisdiction over crimes that do not infringe their customs laws or disrupt peace and public order.
- C. Port States enforce their jurisdiction only in respect of very serious crimes, such as drug trafficking
- D. Port States are not entitled to enforce their jurisdiction over any foreign vessel

2. Describe the Admiralty Bill, 2005, its salient features and Admiralty Jurisdiction of Courts.

Or

Explain the structure of the shipping administration in India and the procedure of Registration of Indian Ships. 15 Marks

3. Explain what are the treaties, conventions and protocols relevant to Indian Maritime Law.

Or

Explain the recent development and feature of the Maritime Law. 15 Marks

4. Short Notes (Answer any two)

10 Marks

- a) Territorial waters
- b) National character and flag
- c) Loss of life or Personal Injury
- d) Subrogation
- e) Insurable Interest

X=X=X

(2)