

## Subject card

|                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                          |                                                                                                                                                                            |                                     |                                                                                                                      |            |     |
|---------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------|------------|-----|
| Subject name and code                       | Maritime Law - Auditorium Classes, PG_00201808                                                                                                                                                                                                                                                                                                                                                                                      |                                                          |                                                                                                                                                                            |                                     |                                                                                                                      |            |     |
| Field of study                              | Law                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                          |                                                                                                                                                                            |                                     |                                                                                                                      |            |     |
| Date of commencement of studies             | October 2026                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                          | Academic year of realisation of subject                                                                                                                                    |                                     | 2029/2030                                                                                                            |            |     |
| Education level                             | uniform Master's studies                                                                                                                                                                                                                                                                                                                                                                                                            |                                                          | Subject group                                                                                                                                                              |                                     | Obligatory subject group in the field of study<br>Subject group related to scientific research in the field of study |            |     |
| Mode of study                               | full-time studies                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                          | Mode of delivery                                                                                                                                                           |                                     | at the university                                                                                                    |            |     |
| Year of study                               | 4                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                          | Language of instruction                                                                                                                                                    |                                     | Polish                                                                                                               |            |     |
| Semester of study                           | 7                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                          | ECTS credits                                                                                                                                                               |                                     | 2.0                                                                                                                  |            |     |
| Learning profile                            | academic                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                          | Assessment form                                                                                                                                                            |                                     | credit                                                                                                               |            |     |
| Conducting unit                             | Department of Maritime Law -> Faculty of Law and Administration -> Rector                                                                                                                                                                                                                                                                                                                                                           |                                                          |                                                                                                                                                                            |                                     |                                                                                                                      |            |     |
| Name and surname of lecturer (lecturers)    | Subject supervisor                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                          | mgr Filip Walczak                                                                                                                                                          |                                     |                                                                                                                      |            |     |
|                                             | Teachers                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                          |                                                                                                                                                                            |                                     |                                                                                                                      |            |     |
| Lesson types                                | Lesson type                                                                                                                                                                                                                                                                                                                                                                                                                         | Lecture                                                  | Tutorial                                                                                                                                                                   | Laboratory                          | Project                                                                                                              | Seminar    | SUM |
|                                             | Number of study hours                                                                                                                                                                                                                                                                                                                                                                                                               | 0.0                                                      | 30.0                                                                                                                                                                       | 0.0                                 | 0.0                                                                                                                  | 0.0        | 30  |
|                                             | E-learning hours included: 0.0                                                                                                                                                                                                                                                                                                                                                                                                      |                                                          |                                                                                                                                                                            |                                     |                                                                                                                      |            |     |
| Learning activity and number of study hours | Learning activity                                                                                                                                                                                                                                                                                                                                                                                                                   | Participation in didactic classes included in study plan |                                                                                                                                                                            | Participation in consultation hours |                                                                                                                      | Self-study | SUM |
|                                             | Number of study hours                                                                                                                                                                                                                                                                                                                                                                                                               | 30                                                       |                                                                                                                                                                            | 2.0                                 |                                                                                                                      | 18.0       | 50  |
| Subject objectives                          | 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 legal position of the captain of a seagoing vessel; investigating the causes and circumstances of maritime accidents; managing seagoing vessels and transporting cargo by sea. |                                                          |                                                                                                                                                                            |                                     |                                                                                                                      |            |     |
| Learning outcomes                           | Course outcome                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                          | Subject outcome                                                                                                                                                            |                                     | Method of verification                                                                                               |            |     |
|                                             | [PRAWOJ5_W04] has a structured knowledge of the types of legal relationships and the regularities governing them                                                                                                                                                                                                                                                                                                                    |                                                          | Has structured knowledge about legal relations within maritime law and about principles governing them.                                                                    |                                     | [SW4] test/exam - oral or written                                                                                    |            |     |
|                                             | [PRAWOJ5_U08] can skilfully select and use professional methods and tools to obtain information on Polish and foreign law                                                                                                                                                                                                                                                                                                           |                                                          | Can skilfully select and use professional methods and tools to obtain information on Polish maritime law and the Law of the Sea.                                           |                                     | [SU4] test/exam - oral or written                                                                                    |            |     |
|                                             | [PRAWOJ5_U07] is able to use complex theoretical approaches and apply them appropriately to the legal problem being solved                                                                                                                                                                                                                                                                                                          |                                                          | Is familiar with the terminology and concepts of law and related fields in the context of maritime law.                                                                    |                                     | [SU4] test/exam - oral or written                                                                                    |            |     |
|                                             | [PRAWOJ5_K08] is ready to take up professional challenges and is characterised by perseverance in the implementation of activities in the field of law and related sciences                                                                                                                                                                                                                                                         |                                                          | Is ready to take up professional challenges related to maritime law and is characterised by perseverance in the implementation of activities in the field of maritime law. |                                     | [SK4] test/exam - oral or written<br>[SK8] observation of student's independent or team work                         |            |     |
|                                             | [PRAWOJ5_K06] prepares responsibly for work, is able to set priorities and organise work accordingly                                                                                                                                                                                                                                                                                                                                |                                                          | Is able to set priorities and organise work accordingly in order to solve case studies related to maritime law.                                                            |                                     | [SK4] test/exam - oral or written<br>[SK8] observation of student's independent or team work                         |            |     |

## 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 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. The structure of maritime administration in Poland
- 2.3. Competences of maritime administration bodies
- 2.4 Maritime, flag and port inspection
- 2.5 Recognized organizations – notion and duties

### **3. Seaworthiness of a sea vessel**

- 3.1. Sea ship concept
- 3.2. The concept of ship seaworthiness and cargoworthiness
- 3.3 Requirements of seaworthiness
- 3.4 Due diligence – Carver test
- 3.5 Ship casualties resulting from unseaworthiness

### **4. Legal position of the captain of a sea vessel**

- 4.1. Rights and obligations of the captain of a sea ship
- 4.2. Managing a seagoing ship: the captain as the superior of the ship's crew, the captain as a representative of the shipowner and persons interested in the cargo
- 4.3. Duties of the captain: case study
- 4.4. Public functions of the ship's captain
- 4.5. Public law duties of the ship's captain

### **5. Legal standards of maritime safety**

- 5.1. Notion of maritime safety
- 5.2. Safety of life at sea – from Titanic to Costa Concordia (case studies)
- 5.3. Maritime safety standards – SOLAS Convention
- 5.4. Maritime safety standards – IMO Codes
- 5.5. Maritime safety standards in Polish national legislation

### **6. Enforcement of legal standards of maritime safety**

- 6.1. Infringements of standards of maritime safety
- 6.2. Flag state control
- 6.3. Port state control
- 6.4. Human factor and human error in maritime safety infringements – case study

### **7. Maritime safety culture**

- 7.1. Safety management of shipping – ISM Code
- 7.2 Technical management
- 7.3. Crew management
- 7.4. Commercial management
- 7.5. Constant development of ship 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. Casualty Investigation Code
- 8.3. Proceedings regarding a maritime accident before the Maritime Chambers
- 8.4. Investigation of the circumstances and causes of maritime accidents by the State Commission for the Investigation of Maritime Accidents – case studies
- 8.5. Influence of recommendations on maritime safety

### **9. Security of ships and port facilities (maritime security)**

- 9.1. Notion and scope of maritime security
- 9.2. Prevention and suppression of unlawful acts against maritime security: maritime piracy, maritime terrorism – case studies
- 9.3. International Ship and Port Facility Security (ISPS) Code
- 9.4. Maritime security measures in Polish national legislation
- 9.5. Cyber risk management

### **10. Legal standards of prevention of pollution from ships**

- 10.1. International Convention for the Prevention of Pollution from Ships (MARPOL)
- 10.2. Reduction of emissions from ships in the context of climate change
- 10.3. Mandatory measures on improving the energy efficiency of ships
- 10.4. Oil spills with disastrous consequences for maritime environment – case study
- 10.5. Plastics in the ocean – case study

### **11. Maritime labour law**

- 11.1. Legal status of the captain and his crew
- 11.2. Conditions of work and life of seafarers at ships – Maritime Labour Convention
- 11.3. Recruitment of seafarers
- 11.4. Seafarer employment agreement

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|                                 | <p>11.5. MLC documentation and inspections, on-board complaint procedure and procedure for dealing with complaints</p> <p><b>12. Transport of cargo by sea</b><br/> 12.1. Cargo transport contract by sea: types of contracts (charter, booking), their legal nature and the rights and obligations of the parties<br/> 12.2. Bill of lading: paper form and electronic form<br/> 12.3. Standard of due diligence of a sea carrier in the performance of a contract for the carriage of cargo by sea - a case study<br/> 12.4. Liability of a sea carrier: Hague-Visby Rules, Hamburg Rules, Rotterdam Rules, Maritime Code<br/> 12.5. Limitation of Liability for Maritime Claims</p> <p><b>13. Ship chartering</b><br/> 13.1. Legal character of ship chartering<br/> 13.2 Time charter<br/> 13.3. Charter by demise<br/> 13.4. Bareboat charter<br/> 13.5. Slot charter</p> <p><b>14. Carriage of passenger and their luggage by sea</b><br/> 14.1. Athens Convention relating to the Carriage of Passengers and their Luggage by Sea<br/> 14.2. Notions of passenger and carrier<br/> 14.3. Rights and duties of passengers at sea. Protection of rights of passengers – case study<br/> 14.4. Rights and duties of the carrier<br/> 14.5. Liability of carries for shipping incidents</p> <p><b>15. Maritime insurance law</b><br/> 15.1. Types of maritime insurances<br/> 15.2. Maritime insurance contract<br/> 15.3. General average – case study<br/> 15.4. Compulsory maritime insurances<br/> 15.5. Mutual insurances – P&amp;I clubs</p> |                   |                               |
| Prerequisites and co-requisites | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                   |                               |
| Assessment methods and criteria | Subject passing criteria                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Passing threshold | Percentage of the final grade |
|                                 | test                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 51.0%             | 100.0%                        |
| Recommended reading             | <p>Basic literature</p> <p>Prawo morskie. Komentarz. red. D. Pyć, C. Łuczywek, I. Zużewicz-Wiewiórska, Wolters Kluwer, Warszawa 2022</p> <p>Leksykon prawa morskiego. 100 podstawowych pojęć, red. D. Pyć, I. Zużewicz-Wiewiórska, Warszawa 2020</p> <p>Prawo morskie, t. 1, red. J. Łopuski, Bydgoszcz 1996</p> <p>Prawo morskie, t. 2, cz. 1, Prawo żegluga morskiej, red. J. Łopuski, Bydgoszcz 1998</p> <p>Prawo morskie, t. 2, cz. 2, Prawo żegluga morskiej, red. J. Łopuski, BydgoszczToruń 2000</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                   |                               |

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|----------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                | Supplementary literature | <p>"Prawo Morskie", czasopismo naukowe Komisji Prawa Morskiego Polskiej Akademii Nauk - od 2000 roku dostępne w formie elektronicznej na stronie PAN: <a href="https://journals.pan.pl/pm">https://journals.pan.pl/pm</a></p> <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/<br>example questions/<br>tasks being completed |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Work placement                                                 | Not applicable           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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