## 3.2. Course Description

##

|  |
| --- |
| **Generic information** |
| Head of Course |  Igor Vio, PhD |
| Course | **Maritime Administrative Law** |
| Study Programme | **Logistic and Management in Maritime Industry and Transport** |
| Type of Course | **Elective** |
| Year of Study |  **3** |
| Estimated Student Workload and Methods of Instruction | ECTS Coefficient of Student Workload | 4 |
| Number of Hours (L+E+S) | 45 + 0 + 0 |
| **1. GENERAL COURSE DESCRIPTION** |
| * 1. *Course Objectives*
 |
| Students should become familiar with international and national legal framework regulating the boundaries of national jurisdiction at sea, rights and duties of states at sea, their mutual relations related to exploration and exploitation of marine and submarine resources and their protection, their relations concerning war and neutrality in armed conflicts at sea, as well as safety of navigation and protection of the marine environment, organization of maritime administration, labour relations of seafarers, flag state and port state control, maintenance of order in ports and harbours, and regime of maritime domain.  |
| *1.2. Prerequisites for Course Registration* |
|  none |
| *1.3. Expected Learning Outcomes*  |
| 1. To list and compare the international conventions and other sources of the international law of the sea, to describe its basic principles and to explain their influence on the regimes of navigation of ships in various parts of the sea, as well as on the regime of the exploitation of the resources of the sea and the seabed.2. To explain the regime of entry and navigation of various foreign ships (merchant, government, military, fishing or scientific) and foreign yachts and boats in internal waters, territorial sea and protected ecological and fishery zone of the Republic of Croatia.3. To enumerate and interpret rules and regulations of international maritime law governing the safety of navigation and the protection of the marine environment.4. To explain the structure and describe the activities of the International Maritime Organization (IMO) and the European Maritime Safety Agency (EMSA).5. To list the laws and regulations of the Republic of Croatia in the area of ​​maritime administrative law and explain their application to ships and other maritime vessels and crafts, maritime navigation, sea lanes, pilotage and order in ports.6. To describe the organization of the maritime administration in the Republic of Croatia, explain the role and organization of harbour master’s offices, to enumerate their functions, highlight the features of the certificate of registration and other ship documents and books, indicate the principles and procedures of inspection, explain the technical control and list other activities of the Croatian Register of Shipping.7. To explicate the legal regulation of the maritime domain and seaports in the Republic of Croatia, describe the concept of the maritime domain and highlight the features of its concession, interpret the notion and list the types of seaports, and to describe the structure of the port authority and indicate its activities. |
| *1.4. Course Outline* |
| Part I: International Law of the Sea: definition and codification: UNCLOS I, II and III - Geneva Conventions (1958) and UN Convention on the Law of the Sea (1982); internal waters, ports, bays, historic bays and historic waters, archipelagic waters, regime of islands, territorial sea, contiguous zone, straits used for international navigation, canals, continental shelf, exclusive economic zone, maritime boundary delimitation, area, high seas, land-locked states, geographically disadvantaged states, enclosed and semi-enclosed seas, marine scientific research, marine pollution, marine and submarine areas of the Republic of Croatia, status of foreign ships in Croatian internal waters and territorial sea; International Law of Armed Conflicts at Sea: rights and duties of neutral and belligerent states, war zones at sea, status of neutral ships in convoy, status of military and merchant ships in armed conflicts, naval blockade, contraband of war.Part II: International Maritime Organization (IMO) – structure, goals and functions. International conventions on safety of navigation and protection of the marine environment: SOLAS, COLREG, LOADLINES, TONNAGE, INTERVENTION, LDC, MARPOL, OPRC, AFS and BWC. Principles of ISM and ISPS Code, Paris Memorandum of Understanding on Port State Control, problems of flags of convenience. European Maritime Safety Agency (EMSA) - structure and functions. Master and crew, STCW Convention, Maritime Labour Convention and other Conventions and Resolutions of the International Labour Organization (ILO). Croatian maritime legislation, Maritime Code, harbour master’s offices and inspection of safety of navigation, categories of navigation, sea lanes, pilotage, ships – legal regime, ownership, nationality, registration, classification, name and call sign, ship registers, ship’s documents, log book. Croatian Register of Shipping, technical supervision of ships, jurisdiction – flag state, coastal state and port state jurisdiction. Maritime Domain and Seaports Act, concept of maritime domain, concessions, definitions and characteristics of ports and harbours, concessions for port activities, port fees. |
| *1.5. Modes of Instruction*  | [x] Lectures | [ ]  Practical work  |
| [ ]  Seminars and workshops  | [ ]  Multimedia and Network  |
| [ ]  Exercises  | [ ]  Laboratory |
| [ ]  E-learning | [ ]  Mentorship |
| **[ ]**  Field work | **[ ]**  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| *1.6. Comments* |       |
| *1.7. Student Obligations*  |
| a) Students’ main obligations are active course attendance with the preparation and presentation of seminar paper and they are required to pass two mid-term exams.b) As a prerequisite for the final exam, students must score at least 35 out of a possible 70 points (50%) during the classes.c) Students must score at least 15 out of a possible 30 points on final exams (50%). |
| *1.8. Assessment[[1]](#footnote-1)of Learning Outcomes* |
| Course attendance | 1,5 | Class participation |  | Seminar paper | 0,5 | Experiment |  |
| Written exam | 1,0 | Oral exam |  | Essay |  | Research |  |
| Project |  | Continuous Assessment | 1,0 | Presentation |  | Practical work |  |
| Portfolio |  |  |  |  |  |  |  |
| *1.9. Assessment of Learning Outcomes and Examples of Evaluation during Classes and on the Final Exam*  |
| The evaluation procedure consists of continuous examination of knowledge in the form of two tests and a final exam. Examples of evaluating learning outcomes during classes and on the final exam:1. Compare the concept and legal regime of the contiguous zone according to the Convention on the Territorial Sea and Contiguous Zone (1958) and the UN Convention on the Law of the Sea (1982).2. Indicate and explain conditions for entry and navigation of ships, yachts and boats of foreign nationality in internal waters of the Republic of Croatia, including their stay in seaports and shipyards.3. List and discuss international acts regulating the protection of the marine environment from pollution.4. Describe the structure of the International Maritime Organization (IMO) and highlight the role and functions of each body (Assembly, Council, Secretariat, Committees and Subcommittees).5. Interpret the term and types of pilotage according to the provisions of the Maritime Code of the Republic of Croatia, specify the rights and duties of the pilot, and explain potential responsibility and liability of the pilot and of the pilot company.6. Describe the structure of the maritime administration in the Republic of Croatia, highlight the most important powers of harbour master’s office, and in particular explain and describe the rules of procedure for maritime offenses.7. Explain the legal concept of maritime domain and indicate which parts of land and sea have this status. |
| *1.10. Main Reading* |
| Luttenberger, Axel, Pomorsko upravno pravo, Pomorski fakultet, Rijeka, 2005.Luttenberger, Axel, Osnove međunarodnog prava mora, Pomorski fakultet, Rijeka, 2006.Luttenberger, Axel, Pomorsko ratno pravo, Pomorski fakultet, Rijeka, 2008. |
| *1.11. Recommended Reading* |
| Capar, Rudolf, Međunarodno pravo mora, Pomorski fakultet, Rijeka, 1994.Capar, Rudolf, Međunarodno pomorsko ratno pravo, Školska knjiga, Zagreb, 1989.Grabovac, Ivo, Pomorsko pravo, Knjiga I: Pomorsko javno i upravno pravo,VPŠ Split, 2001Grabovac, Ivo – Petrinović, Ranka, Pomorsko javno, upravno i radno pravo, Pomorski fakultet, Split, 2006.Ibler, Vladimir, Međunarodno pravo mora i Hrvatska, Barbat, Zagreb, 2001.Rudolf, Davorin, Međunarodno pravo mora, JAZU, Zagreb, 1985.Pomorski zakonik, N.N. 181/04. (s kasnijim izmjenama i dopunama)Zakon o pomorskom dobru i morskim lukama, N.N. 158/03. (s kasnijim izmjenama i dopunama) |
| *1.12. Number of Main Reading Examples* |
| *Title* | *Number of examples* | *Number of students* |
|  Osnove međunarodnog prava mora | Sufficient (in library and book shop) | 45 |
|  Pomorsko ratno pravo | Sufficient (in library and book shop) | 45 |
|  Pomorsko upravno pravo | Sufficient (in library and book shop) | 45 |
|  |  |  |
|  |  |  |
|  |  |  |
| *1.13. Quality Assurance* |
| Quality assurance of the course performance is continuously monitored according to ISO 9001 system applied at the University of Rijeka Faculty of Maritime Studies. An analysis of results of the final exams and a student survey are conducted and appropriate measures are adopted for each academic year. |

1. **NOTE:** Name the proportion of ECTS credits for each activity so that the total number of ECTS credits is equal to the ECTS value of the course. Use empty fields for additional activities. [↑](#footnote-ref-1)