



## Professional Qualification in SHIPPING & LOGISTICS

### Level 4 Diploma

#### UNIT 5 – OVERSEAS TRADE LAW

##### Question 1

**Distinguish** between the process and the use of litigation compared to arbitration for the resolution of an international dispute between parties engaged in international trade. (20 marks)

##### Question 2

**Illustrate** the principle of the agent of necessity, ensure your answer includes the **THREE** conditions that must be met for the action to be called agent of necessity. Use examples from the maritime trade to support your answer. (20 marks)

##### Question 3

- (a) **Describe** when legal delivery occurs in a Cost, Insurance and Freight (CIF) contract. (6 marks)
- (b) **Describe** why the goods' insurance policy is a transferrable document. (6 marks)
- (c) **Suggest FOUR** factors that would determine the type of contract to use between (CIF) or Free on Board (FOB). (8 marks)

##### Question 4

- (a) **Discuss** the obligations placed on the carrier, by the shipper of cargo in the carriage of goods by sea. (10 marks)
- (b) Referring to your answer to Question 4a, **discuss** the options open to the receiver should the goods be found to be damaged at the discharge port. (10 marks)

##### Question 5

- (a) **Identify TWO** aims of the European Union (EU). (6 marks)
- (b) **Discuss** the claim that the EU is an emerging superpower in international trade. (14 marks)