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Christopher Hill

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Christopher Hill

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Preface

Since the publication of the original edition of this book some four years have slipped by and developments have taken place in the various subjects covered by this work. Several chapters have become increasingly in need of updating. For example, the chapter on Limitation of Liability has, in this second edition, been given greater depth on the 1976 (London) Convention in view of its now imminent coming into effect. Also the very significant, and controversial, court ruling in *The Marion* case (at House of Lords level) has been written into the chapter.

The Oil Pollution chapter has been updated with an account of the 1984 Protocol to the 1969 CLC, the latest developments in *Tovalop* and *Cristal*, an account of the Chicago judgment in *The Amoco Cadiz* and the implementation of MARPOL 73/78.

The chapter on Jurisdiction has received more restructuring than any other, largely due to the replacement of the 1956 Administration of Justice Act (Part I) by the Supreme Court Act 1981. Significant recent cases have been written into the text, for example *The Maritime Trader* and *The Span Terza*. Maritime liens have been given enlarged treatment.

Pilotage has been updated by reference throughout the chapter to the 1983 Pilotage Act. Towage has been updated by commentary on the 1983 Standard Towage Conditions, which have replaced the 1974 version. The text of the 1983 Conditions now appears as an appendix to the chapter.

The Norwegian Saleform has replaced the Japanese form as an appendix to Chapter 3 and commentary on the 1983 revision of the form, with appropriate illustrative cases, has been written into the text of the chapter.

The chapter on Collisions has been brought up to date with reference to the 1983 Collision Regulations and the addition of two or three recent law cases as illustrations.

Commentary on Salvage has been enlarged and developed, particularly on the 1980 revision of Lloyd's Open Form.

Generally speaking, it continues to be my aim, as I mentioned in the Preface to the first edition, to explain the law through the 'eyes' of the cases and judicial rulings as case law is such an inherent and vital part of English law and its true and reasonable development.

I should like to take this opportunity to express my confidence, however humble this statement may be, that the shipping industry will 'weather the storm of recession' and will survive to grow again and prosper and become once again the proud and respected industry which it was in the better days gone by. If it does not survive then surely we all perish, because without sea carriage international trade itself would suffer a mortal blow.

During the preparation of this second edition my thanks are again due to Captain G. White for his assistance and advice on seamen's contracts of employment and I would like also to thank certain members of the staff of the United Kingdom Departments of Trade and of Transport who so kindly and courteously from time to time gave me information over the telephone on various recent amendments to sundry statutes which feature in this edition. I respect the wishes of those kind and helpful people that they should remain incognito.

I have tried to ensure that the law as set out in this book is such as was prevailing as at 31 December 1984.

London
June 1985

CHRISTOPHER HILL

Note: Readers are warned that gold franc and/or unit of account figures mentioned in the text of this book are subject to change as international law develops. Similarly, the United Kingdom sterling equivalent figures may become out of date owing to intermittent updating by the British Government.

Abbreviations

AC	Appeal Cases (3rd series)	1891–Current
All ER	All England Reports	1936–Current
AMC	American Maritime Cases	Current
App Cas	Appeal Cases (2nd series)	1875–1890
Asp MLC	Aspinall's Maritime Law Cases	1871–1940
B & Ald	Barnewall and Alderson	1817–1822
Bos & P	Bosanquet and Puller	1796–1804
CA	Court of Appeal	
Ch	Chancery Division	
Ch Rob	Christopher Robinson (Admiralty)	1799–1808
CPD	Common Pleas Division	1875–1880
De G & J	De Gex and Jones	1857–1860
E & B	Ellis and Blackburn	1851–1858
ELD	Italian Law Reports	Current
Ex	Exchequer Reports	1847–1856
H & C	Hurlstone & Coltman	1862–1866
Hag Adm	Haggard (Admiralty)	1822–1838
HL	House of Lords	
IMO	International Maritime Organization (formerly IMCO)	
KB	King's Bench	1901–1952
LJ	Law Journal Reports	1831–1949
LJCP	Law Journal Reports (Common Pleas)	1831–1880
LJP	Law Journal Reports (Probate, Divorce and Admiralty)	1831–1949
Li.L.Rep.	Lloyd's List Law Reports	1919–1950
Lloyd's Rep.	Lloyd's Law Reports	1950–Current
LR A&E	Admiralty and Ecclesiastical Cases	1865–1875
LR CP	Common Pleas Cases	1865–1875
LR HL	English and Irish Appeals	1866–1875
LR QB	Queen's Bench	1865–1875
LR Eq	Equity Cases	1866–1875
LT	Law Times Reports	1859–1947
Lush	Lushington (Admiralty)	1859–1862
M & W	Meeson & Welsby	1836–1847
Moo PC	E. F. Moore	1836–1862
P	Probate Division (3rd series)	1891–Current
PC	Privy Council	
PD	Probate Division (2nd series)	1875–1890

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QB	Queen's Bench	1891–1900 1952–Current
QBD	Queen's Bench Division	1875–1890
RSC	Rules of the Supreme Court	
SI	Statutory Instrument	
S & S	<i>Schip en Schade</i> (Dutch Law Reports)	Current
TLR	Times Law Reports	1884–1952
WLR	Weekly Law Reports	1953–Current

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