



Transport Law (B001442)

Wegens Covid19 kan mogelijk afgeweken worden van de onderwijs- en evaluatievormen. Dergelijke afwijkingen zullen via Ufora worden gecommuniceerd.

Cursusomvang (nominale waarden; effectieve waarden kunnen verschillen per opleiding)

Studiepunten 3.0 Studietijd 90 u Contacturen 45.0 u

Aanbodsessies en werkvormen in academiejaar 2020-2021

A (semester 1)	Engels	Gent	practicum	15.0 u
			hoorcollege	30.0 u

Lesgevers in academiejaar 2020-2021

Bernauw, Kristiaan	RE21	Verantwoordelijk lesgever
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Aangeboden in onderstaande opleidingen in 2020-2021

Master of Science in Maritime Science	3	A
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Onderwijstalen

Engels

Trefwoorden

Transport regulation, contract of carriage, cargo transportation, passenger transportation, transport modes, transport documents

Situering

A specialised but also an advanced course in transport law, that allows to legally administer all aspects of the transport file in an enterprise or to act as in house legal counsel in a transport undertaking. The course also offers the inspiration for further scientific research in the field.

Inhoud

Overview of the regulatory regime of the transport activities. From a Belgian, European and international perspective.

Both from a public law point of view (licensing, acces to the market, tarification etc.) and from a private law point of view (contract of carriage and carrier liability)

In the various transport modes (air, sea, road, rail, inland navigation)

With respect to transportation of persons (passengers) and goods (cargo).

The course comprises the study of the relevant transport documents : bill of lading, air waybill, charter party etc.)

Begincompetenties

Solid legal education, basic knowledge of transport law.

Eindcompetenties

- 1 Realising the supranational origine of transport law.
- 2 Understanding the applicable international regime against the background of harmonization of civil law and common law cultures.
- 3 Insight in the link between transport law and other legal disciplines (commercial law, civil and liability law, conflicts of laws, criminal law, international public law, administrative law)

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- 4 Insight in the link between the contract of carriage and other contracts of international trade transactions (sale, transport, insurance and finance).
- 5 Understanding the rationale of the specificity of the transport law regimes (limitations and exonerations of liability, short prescription periods, etc.) due to the characteristics of the transport operations (risky activity).
- 6 Insight in the regulation of the access of the transport operator to the profession and to market based on a command or free market economy.
- 7 Insight in the organisation of the transport sector (business processes, auxiliaries and intermediaries) and position in the logistic chain.
- 8 Information on the link between transport law and other disciplines (logistics, technology).
- 9 Having notion of the impact of the new technology on the transport activity : e-trade, unmanned vehicles, artificial intelligence, smart contracts, block chain, etc..
- 10 Readily available knowledge of transport operator licensing requirements, contractual aspects (rights and duties of the parties involved) of transportation, in particular relating to carrier liability.
- 11 Ability to smooth treatment of transport issues on the management, policy or practical level.
- 12 Ability to process transport documents (filling out, interpretation, understanding of the legal consequences) and understanding of the goal of their application, i.a. in the context of evidence of liability and documentary credit operations.
- 13 Critical attitude and ability to societal reflection about the presently applicable carrier liability regimes (limited versus unlimited) and transport operator licenses (regulated versus deregulated/liberalised).
- 14 Capacity for more specialised study and ability to formulate and carry out research in the field of transport regulation and transport contract.

Creditcontractvoorwaarde

Dit opleidingsonderdeel kan niet via creditcontract gevolgd worden

Examencontractvoorwaarde

Dit opleidingsonderdeel kan niet via examencontract gevolgd worden

Didactische werkvormen

Hoorcollege, practicum

Toelichtingen bij de didactische werkvormen

Lectures with practical examples and applications, supplemented by practical exercises (transport law case: plenary discussion, suggestions of possible solutions, ...)

Leermateriaal

Syllabus and slides available at the department at cost price, 6 euro

Referenties

CLARINGBOULD, M. and VAN DER VALK, T. International Transport Treaties, The Hague, Kluwer Law International, loose-leaf.
Internet sources will be indicated in the lectures and syllabus.

Vakinhoudelijke studiebegeleiding

The lecturer and the assistant are available for individual clarification of any problems arisen in the assimilation of the subject matter during office hours, by appointment or by e-mail

Evaluatiemomenten

periodegebonden evaluatie

Evaluatievormen bij periodegebonden evaluatie in de eerste examenperiode

Schriftelijk examen

Evaluatievormen bij periodegebonden evaluatie in de tweede examenperiode

Schriftelijk examen

Evaluatievormen bij niet-periodegebonden evaluatie

Tweede examenkans in geval van niet-periodegebonden evaluatie

(Goedgekeurd)

Examen in de tweede examenperiode is mogelijk

Toelichtingen bij de evaluatievormen

Written exam to test the readily available knowledge and a simple case via open questions

The consultation of all legal texts is allowed

Eindscoreberekening

100% written exam