



# Scrutton on Charterparties and Bills of Lading

*By Sir Bernard Eder, David Foxton, Steven Berry*

Download now

Read Online ➔

**Scrutton on Charterparties and Bills of Lading** By Sir Bernard Eder, David Foxton, Steven Berry

his is the leading statement of the principles behind charterparties and bills of lading, which is the area of law covering parties to the hire and chartering of ships, and the carriage of goods at least partially by sea. First published in 1886, Scrutton has provided a first port of call for research when drafting contracts or dealing with disputes for generations. NEW TO THIS EDITION Case law covering key topics, including: The Pacific Champ [2012] (the formation of charterparties) The Cenk Kaptanoglu [2012] (duress) The Kyla [2012] (frustration) Finmoon v Baltic Reefers [2012], The Saga Explorer [2012], The Erin Schulte [2013] (bills of lading) The DC Merwestone [2013] (perils of the sea) The Falkonera [2013], The Dolphina [2012] (discharge and delivery of cargo) The Wren [2011], The Aquafaith [2012], The Kos [2012], The Western Moscow [2012], The Astra [2013] (time charters) The Bulk Chile [2012] (liens) The Glory Wealth [2013] EWHC 3153 (Comm) and The New Flamenco [2014] EWHC 1547 (Comm) - two important cases concerning the proper approach to the assessment of damages - the former concerning the application of the "compensatory principle" and the latter addressing the difficult question which often arises as to what, if any credit, should be given for a benefit received by the innocent party following the wrongdoer's breach The Athena [2013] EWCA Civ 1273 - concerning the scope and effect of a net loss of time clause in a time charter The Crudesky [2013] EWCA Civ 905 and The Global Santosh [2014] EWCA Civ 403 - two different cases considering whether third parties (a seller of goods in the context of a voyage charter and a receiver in the context of a time charter) might be regarded as the agent of the charterer for certain purposes The Superior Pescadores [2014] EWHC 971 (Comm) - concerning the scope and effect of a clause paramount The Falkonera [2014] EWCA Civ 713 - dealing with the important topic of ship-to-ship transfers The Erin Schulte [2014] EWCA Civ 1382 - concerning the interpretation of the Carriage of Goods by Sea Act 1992 and, in particular, the meaning of the expression "completion, by delivery of the bill, of any endorsement of the bill" in section 5(2)(b) of the Act. FEATURES The book is the leading analysis of general principles in the fields of time charters, voyage charters and demise charters. The book is uniquely arranged as a series of articles, in which Scrutton pinpoints specific topics that a reader might need to research, within a compact and thorough structure, and

interrogates each topic concisely. It covers charterparties role as a key form of commercial contract, from the initial construction of the contract, through the rights and liabilities it confers, terms, agency and performance. Analyses and defines bills of lading as contracts in their own right, as a receipt or a document of title, and examines general liability. Addresses issues to do with loading, i.e. cancelling, safety, readiness to load, duties to furnish, broken stowage, ballast and dunnage. Explores the limitations of liability for shipowners in the case of loss of, or damage to, goods carried. Examines duties and potential losses consequent of the voyage and unloading. Discusses demurrage in the context of charterparties and bills of lading - for example, who is liable for demurrage in each case. Covers freight rights and payable parties, for example in cases of short delivery, or delivery short of place of destination. Covers time charters, including their characteristics, duration, rights of withdrawal, owners and charterer's obligations, condition on redelivery and indemnity. Discusses through bills of lading, where combined forms of transportation are used, particularly containers. Includes the text and commentary on the Carriage of Goods by Sea Act 1971. Appendices include statutes affecting the contract of affreightment; the York-Antwerp Rules, the Inter-Club New York Produce Exchange Agreement 1996 (as amended September 2011), as well as various foreign legislation from Australia, Canada, Hong Kong, New Zealand, Singapore and the US.



[Download Scrutton on Charterparties and Bills of Lading ...pdf](#)



[Read Online Scrutton on Charterparties and Bills of Lading ...pdf](#)

# Scrutton on Charterparties and Bills of Lading

*By Sir Bernard Eder, David Foxton, Steven Berry*

**Scrutton on Charterparties and Bills of Lading** By Sir Bernard Eder, David Foxton, Steven Berry

This is the leading statement of the principles behind charterparties and bills of lading, which is the area of law covering parties to the hire and chartering of ships, and the carriage of goods at least partially by sea. First published in 1886, Scrutton has provided a first port of call for research when drafting contracts or dealing with disputes for generations. NEW TO THIS EDITION Case law covering key topics, including: The Pacific Champ [2012] (the formation of charterparties) The Cenk Kaptanoglu [2012] (duress) The Kyla [2012] (frustration) Finmoon v Baltic Reefers [2012], The Saga Explorer [2012], The Erin Schulte [2013] (bills of lading) The DC Merwestone [2013] (perils of the sea) The Falkonera [2013], The Dolphina [2012] (discharge and delivery of cargo) The Wren [2011], The Aquafait [2012], The Kos [2012], The Western Moscow [2012], The Astra [2013] (time charters) The Bulk Chile [2012] (liens) The Glory Wealth [2013] EWHC 3153 (Comm) and The New Flamenco [2014] EWHC 1547 (Comm) - two important cases concerning the proper approach to the assessment of damages - the former concerning the application of the "compensatory principle" and the latter addressing the difficult question which often arises as to what, if any credit, should be given for a benefit received by the innocent party following the wrongdoer's breach The Athena [2013] EWCA Civ 1273 - concerning the scope and effect of a net loss of time clause in a time charter The Crudesky [2013] EWCA Civ 905 and The Global Santosh [2014] EWCA Civ 403 - two different cases considering whether third parties (a seller of goods in the context of a voyage charter and a receiver in the context of a time charter) might be regarded as the agent of the charterer for certain purposes The Superior Pescadores [2014] EWHC 971 (Comm) - concerning the scope and effect of a clause paramount The Falkonera [2014] EWCA Civ 713 - dealing with the important topic of ship-to-ship transfers The Erin Schulte [2014] EWCA Civ 1382 - concerning the interpretation of the Carriage of Goods by Sea Act 1992 and, in particular, the meaning of the expression "completion, by delivery of the bill, of any endorsement of the bill" in section 5(2)(b) of the Act. FEATURES The book is the leading analysis of general principles in the fields of time charters, voyage charters and demise charters. The book is uniquely arranged as a series of articles, in which Scrutton pinpoints specific topics that a reader might need to research, within a compact and thorough structure, and interrogates each topic concisely. It covers charterparties role as a key form of commercial contract, from the initial construction of the contract, through the rights and liabilities it confers, terms, agency and performance. Analyses and defines bills of lading as contracts in their own right, as a receipt or a document of title, and examines general liability. Addresses issues to do with loading, i.e. cancelling, safety, readiness to load, duties to furnish, broken stowage, ballast and dunnage. Explores the limitations of liability for shipowners in the case of loss of, or damage to, goods carried. Examines duties and potential losses consequent of the voyage and unloading. Discusses demurrage in the context of charterparties and bills of lading - for example, who is liable for demurrage in each case. Covers freight rights and payable parties, for example in cases of short delivery, or delivery short of place of destination. Covers time charters, including their characteristics, duration, rights of withdrawal, owners and charterer's obligations, condition on redelivery and indemnity. Discusses through bills of lading, where combined forms of transportation are used, particularly containers. Includes the text and commentary on the Carriage of Goods by Sea Act 1971. Appendices include statutes affecting the contract of affreightment; the York-Antwerp Rules, the Inter-Club New York Produce Exchange Agreement 1996 (as amended September 2011), as well as various foreign legislation from Australia, Canada, Hong Kong, New Zealand, Singapore and the US.

**Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry**  
**Bibliography**

- Rank: #5823256 in Books
- Published on: 2015-12-10
- Original language: English
- Dimensions: 6.61" h x 1.65" w x 9.49" l, .0 pounds
- Binding: Hardcover
- 768 pages



**Download** [Scrutton on Charterparties and Bills of Lading ...pdf](#)



**Read Online** [Scrutton on Charterparties and Bills of Lading ...pdf](#)

## **Editorial Review**

### **Users Review**

#### **From reader reviews:**

##### **Jeffrey Dominguez:**

Hey guys, do you would like to finds a new book to see? May be the book with the concept Scrutton on Charterparties and Bills of Lading suitable to you? The particular book was written by renowned writer in this era. Typically the book untitled Scrutton on Charterparties and Bills of Lading is a single of several books this everyone read now. This book was inspired a number of people in the world. When you read this guide you will enter the new dimension that you ever know previous to. The author explained their thought in the simple way, consequently all of people can easily to recognise the core of this guide. This book will give you a great deal of information about this world now. To help you see the represented of the world on this book.

##### **Salvador Swain:**

Are you kind of hectic person, only have 10 or perhaps 15 minute in your day time to upgrading your mind expertise or thinking skill actually analytical thinking? Then you have problem with the book when compared with can satisfy your limited time to read it because this time you only find e-book that need more time to be go through. Scrutton on Charterparties and Bills of Lading can be your answer because it can be read by a person who have those short time problems.

##### **Gene Lyons:**

Is it anyone who having spare time then spend it whole day through watching television programs or just lying on the bed? Do you need something new? This Scrutton on Charterparties and Bills of Lading can be the respond to, oh how comes? The new book you know. You are therefore out of date, spending your spare time by reading in this brand new era is common not a nerd activity. So what these publications have than the others?

##### **Jessie Davis:**

A lot of people said that they feel bored stiff when they reading a reserve. They are directly felt that when they get a half elements of the book. You can choose the book Scrutton on Charterparties and Bills of Lading to make your own reading is interesting. Your personal skill of reading talent is developing when you like reading. Try to choose basic book to make you enjoy to read it and mingle the feeling about book and reading through especially. It is to be initial opinion for you to like to open up a book and study it. Beside that the guide Scrutton on Charterparties and Bills of Lading can to be a newly purchased friend when you're

really feel alone and confuse with the information must you're doing of these time.

**Download and Read Online Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry  
#WAV91K3Y0FO**

## **Read Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry for online ebook**

Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry Free PDF d0wnl0ad, audio books, books to read, good books to read, cheap books, good books, online books, books online, book reviews epub, read books online, books to read online, online library, greatbooks to read, PDF best books to read, top books to read Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry books to read online.

### **Online Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry ebook PDF download**

**Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry Doc**

**Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry Mobipocket**

**Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry EPub**

**WAV91K3Y0FO: Scrutton on Charterparties and Bills of Lading By Sir Bernard Eder, David Foxton, Steven Berry**