

City University of Hong Kong

Course Syllabus

offered by School of Law  
with effect from Semester A 2024/25

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**Part I Course Overview**

**Course Title:** Chinese and Comparative Maritime Law

**Course Code:** LW6188E

**Course Duration:** One semester

**Credit Units:** 3

**Level:** P6

**Medium of Instruction:** English

**Medium of Assessment:** English

**Prerequisites:**  
*(Course Code and Title)* Nil

**Precursors:**  
*(Course Code and Title)* Nil

**Equivalent Courses:**  
*(Course Code and Title)* Nil

**Exclusive Courses:**  
*(Course Code and Title)* LW6588E Chinese Maritime Law

## Part II Course Details

### 1. Abstract

This course surveys both substantive and procedural provisions in the Chinese maritime legal system from both comparative and international perspectives. Based on the Maritime Code and the Special Maritime Procedure Law of the People's Republic of China as well as pertinent administrative regulations, departmental rules, and judicial interpretations, it covers all of the main areas of the Chinese maritime legal system. Wherever possible, each topic covered by this course is explored from a comparative perspective; pertinent international laws and conventions are addressed as well.

### 2. Course Intended Learning Outcomes (CILOs)

*(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)*

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	Master legal theories in the Chinese maritime law		√	√	√
2.	Analyse complex legal issues in the Chinese maritime law		√	√	√
3.	Apply legal theories to legal practice in the Chinese maritime law		√	√	√
4.	Compare distinct legal mechanisms between the Chinese legal system and other legal systems such as those of Hong Kong and the UK		√	√	√
5.	Present critical evaluation of legal arguments in the Chinese maritime law		√	√	√
6.	Initiate independent legal research in the Chinese maritime law		√	√	√
		100%			

*A1: Attitude*

*Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.*

*A2: Ability*

*Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.*

*A3: Accomplishments*

*Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.*

### 3. Learning and Teaching Activities (LTAs)

*(LTAs designed to facilitate students' achievement of the CILOs.)*

LTA	Brief Description	CILO No.						Hours/week (if applicable)
		1	2	3	4	5	6	
Lectures	given by the instructor	√	√	√	√	√		3
Case studies	led by the instructor	√	√	√	√	√		
Legal research	guided by the instructor	√	√	√	√	√	√	
Guest lectures	One or two on maritime property law	√	√	√	√	√	√	If possible (per semester)

### 4. Assessment Tasks/Activities (ATs)

*(ATs are designed to assess how well the students achieve the CILOs.)*

Assessment Tasks/Activities	CILO No.						Weighting	Remarks
	1	2	3	4	5	6		
Continuous Assessment: 50%								
Coursework	√	√	√	√	√	√	50%	The use of Generative AI tools is not allowed.
Examination: 50% (duration: 3 hours)								The use of Generative AI tools is not allowed.
							100%	

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

Students must obtain a minimum mark of 50% in both coursework and examination and an overall mark of 50% in order to pass the course. The examination will be in open-book.

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter

Students must obtain a minimum mark of 40% in both coursework and examination and an overall mark of 40% in order to pass the course. The examination will be in open-book.

When University facilities and resources are available, students are required to take a computer-based examination in computer labs. During the examination, students are blocked from access to files, programme and the Internet.

## 5. Assessment Rubrics

*(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)*

Applicable to students admitted from Semester A 2022/23 to Summer Term 2024

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B)	Marginal (B-, C+, C)	Failure (F)
Coursework	<p>Demonstration of understanding of concepts, principles, and theories.            Demonstration of ability to identify legal issues.            Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon.            Application of legal writing and research skills.            Demonstration of ability to engage in argument-based analysis based on critical thinking.            Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.</p>	High	Significant	Moderate	Inadequate
Examination	<p>Demonstration of understanding of concepts, principles, and theories.            Demonstration of ability to identify legal issues.            Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon.            Application of legal writing and research skills.            Demonstration of ability to engage in argument-based analysis based on critical thinking.            Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.</p>	High	Significant	Moderate	Inadequate

Applicable to students admitted before Semester A 2022/23 and in Semester A 2024/25 & thereafter

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-)	Marginal (D)	Failure (F)
Coursework	Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.
Examination	Demonstration of understanding of concepts, principles, and theories. Demonstration of ability to identify legal issues. Application of knowledge to specific legal problems, to discuss questions, and to comment on legal phenomenon. Application of legal writing and research skills. Demonstration of ability to engage in argument-based analysis based on critical thinking. Demonstration of aptitude for formulating innovative solutions to designated fact-based questions.	Strong evidence of original thinking; good organization, capacity to analyse and synthesize; superior grasp of subject matter; evidence of extensive knowledge base.	Evidence of grasp of subject, some evidence of critical capacity and analytic ability; reasonable understanding of issues; evidence of familiarity with literature.	Student who is profiting from the university experience; understanding of the subject; ability to develop solutions to simple problems in the material.	Sufficient familiarity with the subject matter to enable the student to progress without repeating the course.	Little evidence of familiarity with the subject matter; weakness in critical and analytic skills; limited, or irrelevant use of literature.

## **Part III Other Information** (more details can be provided separately in the teaching plan)

### **1. Syllabus**

#### **1.1 Keyword Syllabus**

*(An indication of the key topics of the course.)*

Chinese Maritime Code; judicial interpretation; ship ownership and registration; ship mortgage; possessory lien; maritime lien; contracts for carriage of goods by sea; ship collision; limitation of liability; marine pollution; marine insurance; jurisdiction; applicable law; Chinese Maritime Special Procedure Law.

#### **1.2 Detailed Syllabus**

1. Ship
2. Charter parties
3. Bills of lading
4. Carriage of passengers by sea
5. Admiralty law
6. Marine insurance
7. Applicable law
8. Admiralty jurisdiction
9. Maritime procedure
10. Chinese maritime law reform

### **2. Reading List**

#### **2.1 Recommended Readings**

*(Additional references for students to learn to expand their knowledge about the subject.)*

##### **Books**

Xing Lijuan, *The Essentials of Chinese Maritime Law* (Wolters Kluwer Hong Kong) (2017).

Zhao Liang, *Chinese Maritime Law and Practice* (Informa Law from Routledge) (2017)

Si Yuzhuo, *Maritime Law (Chinese)* (4<sup>th</sup> edition, Law Press, China) (2014)

Si Yuzhuo, *Maritime Law Monograph (Chinese)* (4<sup>th</sup> edition, Chinese Renmin University Press) (2018)

### **Periodicals**

Chinese Journal of Maritime Law (formerly, Annual of Chinese Maritime Law)

Gazette of the Supreme People's Court

Tulane Maritime Law Journal

Journal of Maritime Law and Commerce

Lloyd's Maritime and Commercial Law Quarterly

Journal of International Maritime Law

### **2.2 Online Resources**

China Judgments Online, <http://wenshu.court.gov.cn/> (in Chinese).

China Foreign-Related commercial and Maritime Trial, [http://www.ccmt.org.cn/index\\_en.php](http://www.ccmt.org.cn/index_en.php).

The Supreme People's Court of the People's Republic of China, <http://www.court.gov.cn/> (in Chinese).