

IMO INTERNATIONAL MARITIME LAW INSTITUTE

(IMLI)

MALTA

MASTER OF HUMANITIES (M.HUM.)

in

INTERNATIONAL MARITIME LEGISLATION

APPLICATION PACKAGE

for

SELF-FINANCED CANDIDATES

ACADEMIC YEAR 2020-2021

International Maritime Organization
4 Albert Embankment
London SE1 7SR
UNITED KINGDOM
Tel: +44 (0) 20 7735 7611
Fax: +44 (0) 20 7587 3210
Website: <http://www.imo.org>

IMO International Maritime Law Institute
University of Malta Campus
Msida MSD 2080
MALTA
Tel: +356 21 319343 / 21 310816
Fax: +356 21 343092
E-mail: admissions@imli.org
Website: <http://www.imli.org>

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A. THE PROGRAMME

1. *Programme Objectives*

The IMO International Maritime Law Institute (IMLI) offers a specialized post-graduate programme leading to the Degree of Master of Humanities (M.Hum.) in International Maritime Legislation. The purpose of the programme is to train professionals to become specialists in international maritime law, especially in drafting national legislation which effectively incorporates and implements international maritime instruments – particularly those developed by the IMO. The programme is therefore most suitable for qualified professionals already working in the maritime sector such as a relevant government department, a maritime administration, port authority, or other organization concerned with shipping and maritime affairs. However, the programme is also open to any other qualified candidate who intends to pursue a career in the maritime whether in the public or private sectors, whether in practice, administration or in academia. Fifty percent of the places available will be reserved for suitably qualified women candidates.

2. *Academic Content*

The duration of the programme is one academic year, beginning in October and ending in June of the following year. The programme is intensive and student achievement is highly competitive. In brief, the programme structure, which is designed to cover all aspects of international maritime law and legislation at an advanced post-graduate level, comprises the following:

Introductory courses:

Introduction to the Study of the Law;
Introduction to International Maritime Law; and
The Law of International Organizations.

Foundation courses:

International Law of the Sea;
International Marine Environmental Law;
International Maritime Security Law;
Shipping Law; and
Maritime Legislation Drafting.

The detailed programme structure is contained in Annex 1.

The assessment of students is based on five equally valued components. There are two examinations, one in Shipping Law and one in International Law of the Sea. In addition, each student is required to submit a research paper between 10,000 and 15,000 words which, upon evaluation of the current national legislation, proposes a roadmap or plan of action to ensure the development of national legislation which effectively implements IMO instruments and other internationally agreed maritime legal standards. This independently researched work will be supervised by a member of the Institute's Faculty. Each student is also required to submit a maritime legislation drafting project under the supervision of a designated member of the Faculty. Finally, students are expected to undergo continuous assessment in the form of written assignments, tutorials, two written tests and attendance at lectures, seminars, conferences, field trips and other activities organized by the Institute. The Master of Humanities –M.Hum. – in International Maritime Legislation Programme Assessment and Examination Regulations are contained in Annex 2.

The M.Hum. is exclusively a taught programme. Attendance at lectures and other academic activities organized by the Institute is compulsory as provided for in the Master of Humanities –M.Hum. – in International Maritime Legislation Programme Assessment and Examination Regulations (Annex 2) and in the IMLI Guidelines on Student Conduct (Annex 5).

The teaching programme is delivered by the Institute's Faculty that includes professors and lecturers as well as by visiting fellows who are judges, practitioners and academics of international repute in various fields of maritime law.

The entire programme, including teaching as well as the writing of examinations and projects, is in the English language.

B. ADMISSION REQUIREMENTS AND PROGRAMME FEE

3. *Academic Requirements*

The basic requirements are:

- (a) a degree from a recognized university or other academic institution in a related discipline to international maritime law; and
- (b) proficiency in the English language: all candidates must be fully proficient in the English language. They should be fully acquainted with the fundamentals of that language; i.e. in reading, writing, listening, comprehension and speaking skills. Candidates who have not studied or made active use of the English language in recent years are **STRONGLY** advised to refresh their English knowledge **PRIOR** to their arrival in Malta. They should bear in mind that the study of international maritime law demands a sophisticated knowledge of the English language. **Production of evidence of English language proficiency is required. Therefore, as a pre-requisite for admission, the Institute may require candidates to undertake one of the tests for language referred to in Annex 3.** Further, the Institute reserves the right to conduct Skype interviews with candidates applying to the programme to assess their level of English in order to ensure that they have the command necessary to undertake and successfully complete the M.Hum programme.

4. *Programme Fee*

Please refer to Annex 4 to find out the programme fee for the forthcoming academic year. The programme fee covers tuition and provision of selected standard textbooks only. **The programme fee does not cover any other costs, such as travel, accommodation and living expenses. Candidates are to make their own arrangements for finding accommodation and paying for the same during their stay at IMLI.** An estimate of such costs is provided for in paragraph 24 below.

5. *Financial Aid*

Candidates requiring financing are encouraged to seek sponsors.

C. APPLICATION PROCEDURE

6. *How to Apply*

The attached Application Form should be completed by the candidate and must be accompanied by:

- (a) copies of the candidate's University degrees officially authenticated by the University concerned;
- (b) a copy of the certificate of proficiency in English held by the candidate (see paragraph 3(b) above and Annex 3 for further information) or a statement by the candidate explaining the reasons why he/she deems that he/she should be exempt from presenting such certificate;
- (c) the attached Medical Report Form duly completed by a registered Government Medical Practitioner;
- (d) a letter of intent written by the candidate and stating the candidate's reasons for applying to the M.Hum. programme and his/her career objective. Candidates may use the attached Motivation Form;
- (e) two letters of reference covering the candidate's ability to undertake the M.Hum. programme. Referees are persons who are not related to the candidate and who are familiar with the

candidate's character and qualifications. Referees should use, where possible, the attached Reference Form;

- (f) proof of payment of the application and processing fee of €150.

Applications should be sent to:

The Director
IMO International Maritime Law Institute
University of Malta Campus
Msida MSD 2080
MALTA

Telephone: (+356) 21 319343 / 21 310816
Facsimile: (+356) 21 343092
E-mail: admissions@imli.org

7. Academic and Medical Clearance

Application forms will be reviewed by the Institute to assess the academic and medical eligibility of the candidates. Candidates will be advised of their academic and medical clearance in writing.

Advice of academic and medical clearance provides an indication only that the Institute has found the candidate to hold the necessary academic qualifications and medical eligibility to pursue the programme. **IT DOES NOT INDICATE ACCEPTANCE FOR ENROLMENT.**

8. Payment of Programme Fee

Payment of the programme fee is a condition precedent for admission to the programme. The programme fee should be remitted to the Institute's bank account, details of which are as follows:

Bank in Malta: Bank of Valletta plc, L-Ibrag Branch
Triq tal-Ibrag, Swieqi
SWQ2030 MALTA
Account Name: IMO International Maritime Law Institute
Account no. 4001 3713 797
SWIFT Transfer Code – VALLMTMT
I.B.A.N.: MT58 VALL 2201 3000 0000 4001 3713 797

9. Admission

When all the criteria for admission, including clearance and confirmation of financing, have been met, the candidate and/or the nominating authority shall be notified in writing of the candidate's acceptance for admission.

The Institute must receive from the candidate a confirmation in writing as to whether he/she is ready to join the programme, whereupon the candidate will be admitted to the programme.

D. JOINING THE INSTITUTE

10. Travel

Whatever the source of funding for the programme fee, candidates are reminded that the programme fee does not cover travel expenses. Travel arrangements will have to be arranged and settled by the participants.

Selected candidates should arrive in Malta ahead of the programme starting date. Information on the starting date of the forthcoming programme is found in Annex 4.

In view of the fact that a three-day field trip to London may be organized at the end of the academic year, participants are advised to arrange for their return ticket with Air Malta via London Heathrow Airport, leaving departure dates and the exact stop-over period in London open pending final booking, which may be effected in Malta. This would avoid the student incurring unnecessary expenses. Should the candidate need an entry visa for the United Kingdom, the Institute will assist in order to obtain the same when in Malta. **However, the cost of the visa is to be paid by the candidates.**

11. Visa

Candidates admitted to the programme are requested to arrange for a visa, if this is required, for their entry to Malta. Malta is a member of the European Schengen Agreement. Therefore, the Institute cannot procure visas on behalf of admitted candidates. Candidates coming from countries with no Maltese embassy or consulate have to apply for their visas to enter Malta from the Italian, French, Spanish or Austrian Embassy in their respective countries. For more information relating to visa requirements and where to apply please visit the website of the Malta Ministry for Home Affairs and National Security at <https://identitymalta.com/visas/>. The Institute may assist in providing the admitted candidates with the relevant information relating to the Embassy they need to approach.

12. Health Care

Candidates admitted to the programme are required to have a health insurance for the whole duration of their stay in Malta with cover for hospital care. Evidence of this insurance may be required by the relevant Embassy when the student applies for an entry visa. However, health insurance is mandatory when students apply in Malta for a study residence permit. Should students find difficulty in obtaining insurance which cover extends for the whole duration of their stay in Malta, the Institute can assist in obtaining locally the required health insurance when the student arrives in Malta. **The cost of the insurance is to be borne by the student. All documentation relating to the insurance needs to be either issued in the English language or translated in the English language.**

13. Books and Other Instructional Material

Students shall be provided with a selected number of textbooks and other instructional material as determined by the Institute.

As part of the programme, each student is required to submit a research paper between 10,000 and 15,000 words which, upon evaluation of the current national legislation, proposes a roadmap or plan of action to ensure the development of national legislation which effectively implements IMO instruments and other internationally agreed maritime legal standards. The topic selected by each student should relate to some aspect of the programme, but it is expected that it will be relevant to the student's own country or region. Students are therefore encouraged to bring with them any materials that would be useful for such purpose, in particular any domestic textbook concerning public or private maritime law.

Students are also required to undertake a drafting project related to maritime legislation. It would be useful if students brought with them copies of ALL NATIONAL LEGISLATION RELATING TO MARITIME LAW covering topics such as marine pollution, ports and harbours, commercial maritime law, as well as the Constitution of their country. Furthermore, students are advised to bring with them a copy of any law relating to the incorporation of international legal instruments regarding maritime law into their domestic law, as well as any law or material governing legislative drafting within their jurisdiction, such as an Interpretation Act. It would be much appreciated if such materials are then donated to the IMLI Library for consultation and use by future students. In this way, the Library can build up a comprehensive collection of maritime legislation.

It would also be useful for the student to have a contact person within his/her jurisdiction who would be willing to supply him/her with any material as required during his/her stay at the Institute.

14. IMLI Guidelines on Student Conduct

Student life at the Institute is governed by the IMLI Guidelines on Student Conduct, copy of which is attached hereto as Annex 5. **BY APPLYING TO THE INSTITUTE, CANDIDATES UNDERTAKE TO COMPLY STRICTLY WITH IMLI GUIDELINES ON STUDENT CONDUCT SHOULD THEY BE ADMITTED TO THE PROGRAMME.**

15. Location

The Institute is located within the campus of the University of Malta in Tal-Qroqq, Msida. Local buses are available on the main road outside the University gates. There are a number of shops, cafes, convenience stores, bookstores, and other establishments within walking distance of the University.

E. FACILITIES AND AMENITIES PROVIDED TO STUDENTS AT THE INSTITUTE

16. Library

The Institute has a well-equipped international maritime law library. Students also have access to the Library of the University of Malta.

17. ICT Facilities

Students may avail themselves of the Institute's Student ICT facilities in accordance with the IMLI Regulatory Framework on ICT matters.

18. Accommodation

Although the student is not entitled to accommodation on the Institute's premises, accommodation may be rented from the Institute, depending on availability. A cable and/or wireless network is available at the Institute's flats where students are accommodated. Students may access this network from their own notebooks or word processing equipment.

19. Cafeteria

Cafeteria facilities are available at lunchtime at the University of Malta where a relatively inexpensive meal can be obtained. For other meals, students are expected to cater for themselves or eat out.

20. Laundry

The Institute is equipped with washing machines and tumble dryers, which are available for use by students who live in IMLI accommodation (see paragraph 18 above). For dry cleaning services, students may, at their own expense, avail themselves of commercial laundry facilities outside the University.

21. Telecommunications

Few international telephone call boxes are still installed around Malta. The call box can be operated with phone cards, which can be purchased from stores inside and outside the university. To dial abroad from Malta students have to add 00 before the country code and the telephone number required.

22. Recreational Facilities

There is a students' Common Room on the Institute's premises equipped with television, video player, recreational reading material, and personal computers with internet connection. Students may be assigned certain duties relating to their academic and residential life at the Institute. Students can also

use the available facilities of the University of Malta, which include some sports facilities (some facilities may be used at a cost).

F. INFORMATION ABOUT MALTA

23. *Geographical Location and Climate*

Malta is a small island (27km x 14.4km) located in a strategic position in the centre of the Mediterranean, between Italy (Sicily) and Tunisia. It has much of historical and cultural interest for visitors and has long maintained an interest in maritime affairs.

The climate is generally warm. Temperatures are as follows:

35°C highest summer temperature
14°C average November to April temperature
7°C lowest winter temperature

In the winter, the weather may become cold and stormy from time to time. Students are advised to bring appropriate warm and waterproof clothing for winter, as no clothing allowance is available.

24. *Living Costs*

The currency of Malta is the Euro (€). For the latest exchange rates visit www.centralbankmalta.com.

Rental accommodation is available in residential areas, in the vicinity of the University. The monthly rent of a modest furnished apartment is approximately between €600 and €800, depending on the number of bedrooms. The monthly expenses of food and other living costs could amount to €400 per person depending on one's lifestyle.

For more detailed information about Malta please refer to www.visitmalta.com.

ANNEX 1

DETAILED M.HUM. PROGRAMME STRUCTURE

1 INTRODUCTORY COURSES

1.1 INTRODUCTION TO THE STUDY OF THE LAW

- 1.1.1 The Role of IMLI in Capacity-Building
- 1.1.2 Law for Non-lawyers
- 1.1.3 Methodology of Legal Research
- 1.1.4 Legal Academic Writing
- 1.1.5 Characteristics of Maritime Law and Main Differences between the Major Legal Systems
- 1.1.6 Regulatory Maritime Law: International Conventions
- 1.1.7 Law of Contracts
- 1.1.8 Law of Torts/Delict
- 1.1.9 Law of Property

1.2 INTRODUCTION TO INTERNATIONAL MARITIME LAW

1.2.1 INTRODUCTION TO PRIVATE MARITIME LAW

- 1.2.1.1 Major Categories of Ships
- 1.2.1.2 Shipping and International Trade
- 1.2.1.3 Types of Shipping
- 1.2.1.4 Operation and Management of Ships
- 1.2.1.5 Physical Attributes of a Ship
- 1.2.1.6 Basics of Navigation and Ship Handling
- 1.2.1.7 Types of Cargo and Cargo Handling
- 1.2.1.8 The Role of Shipping in International Trade
- 1.2.1.9 Liner and Tramp Trade
- 1.2.1.10 The Liner Conference System
- 1.2.1.11 The United Nations Convention on the Code of Conduct for Liner Conferences
- 1.2.1.12 The Economic Impact of Open Ship Registry Systems
- 1.2.1.13 Regional Approaches to Shipping Law

1.2.2 INTRODUCTION TO PUBLIC INTERNATIONAL LAW

- 1.2.2.1 Nature and Origin of Public International Law
- 1.2.2.2 Subjects of Public International Law and International Personality
- 1.2.2.3 Sources of Public International Law
 - 1.2.2.3.1 International Conventions
 - 1.2.2.3.2 Customary International Law
 - 1.2.2.3.3 General Principles of International Law
 - 1.2.2.3.4 Judicial Decisions and the Teachings of Publicists
 - 1.2.2.3.5 Codification of International Law through Conventions
 - 1.2.2.3.6 Relationship between International Conventions and Customary International Law, with special reference to the Law of the Sea
- 1.2.2.4 The Law of Treaties
 - 1.2.2.4.1 The Vienna Convention on the Law of Treaties, 1969
 - 1.2.2.4.2 The Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations, 1986
- 1.2.2.5 Role of "Soft Law" in International Law
- 1.2.2.6 International Law and Municipal Law
- 1.2.2.7 Jurisdiction
- 1.2.2.8 Extradition
- 1.2.2.9 Immunities
 - 1.2.2.9.1 State Immunity
 - 1.2.2.9.2 Diplomatic Immunity
- 1.2.2.10 State Responsibility

1.3 THE LAW OF INTERNATIONAL ORGANIZATIONS

- 1.3.1 Historical Development of International Organizations
- 1.3.2 International Organizations as Subjects of International Law
- 1.3.3 Institutional Law of International Organizations
 - 1.3.3.1 Classification of International Organizations
 - 1.3.3.2 Role and Functions of International Organizations
 - 1.3.3.3 Constituent Instruments of International Organizations
 - 1.3.3.4 The Applicable Law
 - 1.3.3.5 Privileges and Immunities of International Organizations
 - 1.3.3.6 Responsibility of International Organizations
 - 1.3.3.7 Powers of International Organizations
 - 1.3.3.8 Membership
 - 1.3.3.9 Dissolution
- 1.3.4 The United Nations System
 - 1.3.4.1 The United Nations
 - 1.3.4.1.1 The United Nations General Assembly
 - 1.3.4.1.2 The United Nations Security Council
 - 1.3.4.1.3 United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS)
 - 1.3.4.1.4 Commission on the Limits of the Continental Shelf (CLCS)
 - 1.3.4.1.5 International Law Commission (ILC)
 - 1.3.4.1.6 International Seabed Authority (ISA)
 - 1.3.4.1.7 UN-Oceans
 - 1.3.4.1.8 International Court of Justice (ICJ)
 - 1.3.4.1.9 International Tribunal for the Law of the Sea (ITLOS)
 - 1.3.4.2 Specialized Agencies
 - 1.3.4.2.1 The International Maritime Organization (IMO)
 - 1.3.4.2.1.1 History, Aims and Functions
 - 1.3.4.2.1.2 Structure of IMO
 - 1.3.4.2.1.3 Committees of IMO
 - 1.3.4.2.1.4 IMO as a Law-Making Body
 - 1.3.4.2.1.5 The Process of Development and Amendment of an IMO Convention
 - 1.3.4.2.2 Other Agencies and Bodies
 - 1.3.4.2.2.1 UNEP, UNESCO (IOC), UNCTAD, FAO, ILO, UNCITRAL
- 1.3.5 Role of Non-Governmental Organizations
 - 1.3.5.1 Comité Maritime International (CMI)

1.4 SIGNIFICANCE OF ETHICS IN INTERNATIONAL MARITIME LAW

- 1.4.1 The Role of Ethics in the Law of the Sea
- 1.4.2 The Role of Ethics in Shipping Law

2 INTERNATIONAL LAW OF THE SEA

2.1 HISTORICAL BACKGROUND

2.2 GENERAL INTRODUCTION AND ELEMENTS OF THE LAW OF THE SEA

- 2.2.1 First United Nations Conference on the Law of the Sea (UNCLOS I)
- 2.2.2 Second United Nations Conference on the Law of the Sea (UNCLOS II)
- 2.2.3 Third United Nations Conference on the Law of the Sea (UNCLOS III)
- 2.2.4 1958 Geneva Conventions on the Law of the Sea
 - 2.2.4.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
 - 2.2.4.2 Convention on the Continental Shelf, 1958
 - 2.2.4.3 Convention on the High Seas, 1958
 - 2.2.4.4 Convention on Fishing and Conservation of the Living Resources of the High Seas, 1958
- 2.2.5 United Nations Convention on the Law of the Sea, 1982 (UNCLOS)

- 2.2.6 Post-UNCLOS Developments
- 2.2.7 Customary Law

2.3 BASELINES

- 2.3.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.3.2 Part II of UNCLOS

2.4 INTERNAL WATERS AND TERRITORIAL SEA

- 2.4.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.4.2 Part II of UNCLOS
- 2.4.3 Customary Law

2.5 STRAITS USED FOR INTERNATIONAL NAVIGATION

- 2.5.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.5.2 Part III of UNCLOS
- 2.5.3 Customary Law

2.6 ARCHIPELAGIC STATES

- 2.6.1 Pre-UNCLOS position
- 2.6.2 Part IV of UNCLOS
- 2.6.3 Customary Law

2.7 CONTIGUOUS ZONE

- 2.7.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.7.2 Part II of UNCLOS
- 2.7.3 Customary Law

2.8 CONTINENTAL SHELF

- 2.8.1 Convention on the Continental Shelf, 1958
- 2.8.2 Part VI of UNCLOS
- 2.8.3 Customary Law

2.9 EXCLUSIVE ECONOMIC ZONE

- 2.9.1 Pre-UNCLOS position
- 2.9.2 Part V of UNCLOS
- 2.9.3 Customary Law

2.10 FISHERIES

- 2.10.1 1958 Geneva Convention on Fishing and the Conservation of the Living Resources of the High Seas
- 2.10.2 Parts V and VII of UNCLOS
- 2.10.3 1993 Food and Agriculture Organization (FAO) Compliance Agreement
- 2.10.4 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
- 2.10.5 1995 Food and Agriculture Organization (FAO) Code of Conduct for Responsible Fisheries
- 2.10.6 Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, 2009

2.11 LAND-LOCKED STATES AND GEOGRAPHICALLY DISADVANTAGED STATES

- 2.11.1 Pre-UNCLOS position
- 2.11.2 Part X of UNCLOS
- 2.11.3 Customary Law

2.12 THE HIGH SEAS

- 2.12.1 Legal Status of the High Seas
- 2.12.2 High Seas Freedoms
- 2.12.3 Nationality of Ships
- 2.12.4 Status of Ships on the High Seas
- 2.12.5 Prohibition of Transport of Slaves

- 2.12.6 Piracy
- 2.12.7 Illicit Traffic in Narcotic Drugs or Psychotropic Substances
- 2.12.8 Unauthorized Broadcasting
- 2.12.9 Right of Visit
- 2.12.10 Right of Hot Pursuit
- 2.12.11 Submarine Cables and Pipelines
- 2.13 REGIME OF ISLANDS**
- 2.13.1 Pre-UNCLOS position
- 2.13.2 Part VIII of UNCLOS
- 2.13.3 Customary Law

- 2.14 ENCLOSED AND SEMI-ENCLOSED SEAS**
- 2.14.1 Pre-UNCLOS position
- 2.14.2 Part IX of UNCLOS
- 2.14.3 Customary Law

- 2.15 INTERNATIONAL SEABED AREA**
- 2.15.1 Historical Background
- 2.15.2 Customary Law: Declaration of Principles Governing the Deep Seabed
- 2.15.3 The UNCLOS Regime
 - 2.15.3.1 The International Seabed Authority
- 2.15.4 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea, 1982
- 2.15.5 The System of Exploitation of Deep Seabed Resources

- 2.16 MARINE SCIENTIFIC RESEARCH**
- 2.16.1 Convention on the Territorial Sea and the Contiguous Zone, 1958
- 2.16.2 Convention on the Continental Shelf, 1958
- 2.16.3 Convention on the High Seas, 1958
- 2.16.4 Part XIII of UNCLOS
- 2.16.5 Customary Law

- 2.17 DEVELOPMENT AND TRANSFER OF MARINE TECHNOLOGY**
- 2.17.1 Part XIV of UNCLOS

- 2.18 GENETIC RESOURCES OF THE SEA**

- 2.19 PROTECTION OF UNDERWATER CULTURAL HERITAGE**
- 2.19.1 Articles 149 and 303(2) of UNCLOS
- 2.19.2 Convention on the Protection of Underwater Cultural Heritage, 2001

- 2.20 THE LEGAL REGIME OF THE ARCTIC**
- 2.20.1 Defining the Arctic Region
- 2.20.2 Implications of the Opening of the Northwest and Northeast Passages
- 2.20.3 Overview of the Application of UNCLOS and other International Treaties to the Arctic
- 2.20.4 Maritime Zones in the Arctic and their Delimitation
- 2.20.5 The Arctic Council
- 2.20.6 Development of National Policies regulating the Arctic Region

- 2.21 THE LEGAL REGIME OF THE ANTARCTIC**
- 2.21.1 Defining the Antarctic Region
- 2.21.2 The Antarctic Treaty System
- 2.21.3 Overview of the Application of UNCLOS to the Antarctic Ocean
- 2.21.4 Maritime Zones in the Antarctic Ocean and their Delimitation
- 2.21.5 Recent Trends and Challenges: Shipping in the Antarctic Ocean

- 2.22 HUMAN RIGHTS AND THE LAW OF THE SEA**
- 2.22.1 Introduction to Human Rights
- 2.22.2 Sources of Human Rights
- 2.22.3 The Scope of Human Rights

- 2.22.4 The Content of Human Rights
- 2.22.5 The Relationship between Human Rights and the Law of the Sea

2.23 SETTLEMENT OF DISPUTES

- 2.23.1 The International Tribunal for the Law of the Sea (ITLOS)
- 2.23.2 The International Court of Justice (ICJ)
- 2.23.3 Arbitration and Other Forms of Alternative Dispute Resolutions (ADR)

2.24 THE INTERNATIONAL MARITIME ORGANIZATION AND THE LAW OF THE SEA

3 INTERNATIONAL MARINE ENVIRONMENTAL LAW

3.1 Introduction to Marine Environmental Law

- 3.1.1 Historical Background
- 3.1.2 Development of Principles for the Sustainable Development of the Environment under the United Nations Conferences
- 3.1.3 UNEP and its Regional Seas Programme
- 3.1.4 Basis of Liability for Marine Pollution
 - 3.1.4.1 Law of Negligence in Relation to Marine Pollution
 - 3.1.4.2 Doctrine of Strict Liability / Polluter Pays Principle
 - 3.1.4.3 Criminal Law Relating to Marine Pollution: Application of Mens Rea
- 3.1.5 State Responsibility
- 3.1.6 Inter-Relationship between Prevention of Pollution of the Marine Environment and Protection and Conservation of the Living Resources of the Sea

3.2 Prevention of Pollution

- 3.2.1 UNCLOS and the Protection and Preservation of the Marine Environment (Part XII)
- 3.2.2 International Convention for the Prevention of Pollution from Ships, 1973; the 1978 and 1997 Protocols thereto (MARPOL), as amended
- 3.2.3 International Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 and the 1996 Protocol thereto, as amended
- 3.2.4 Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea Area, 1992
- 3.2.5 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposals, 1989, as amended
- 3.2.6 International Convention on the Control of Harmful Anti-fouling Systems on Ships, 2001
- 3.2.7 International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004
- 3.2.8 Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009
- 3.2.9 Prevention of Pollution in Polar Regions
 - 3.2.9.1 International Code of Safety for Ships Operating in Polar Waters (Polar Code)

3.3 Preparedness, Response and Co-operation

- 3.3.1 International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969
- 3.3.2 Protocol Relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil, 1973, as amended
- 3.3.3 International Convention on Oil Pollution, Preparedness, Response and Co-operation, 1990
- 3.3.4 Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol)

3.4 Liability and Compensation

- 3.4.1 International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC) and the 1992 Protocol thereto (1992 CLC), as amended
- 3.4.2 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (1992 Fund Convention), as amended
- 3.4.3 Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (Supplementary Fund Protocol)

- 3.4.4 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010 (HNS Convention 2010)
- 3.4.5 Basel Protocol on Liability and Compensation for Damage resulting from Transboundary Movements of Hazardous Wastes and their Disposal, 1999
- 3.4.6 International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Bunkers Convention)
- 3.4.7 United States Oil Pollution Act, 1990

4 INTERNATIONAL MARITIME SECURITY LAW

4.1 INTRODUCTION TO INTERNATIONAL MARITIME SECURITY LAW

4.2 PIRACY, HIJACKING AND ARMED ROBBERY AGAINST SHIPS

- 4.2.1 UNCLOS
- 4.2.2 United Nations Measures to Combat Piracy
- 4.2.3 IMO Measures to Combat Piracy
 - 4.2.3.1 Djibouti Code of Conduct
 - 4.2.3.2 Code of Conduct Concerning the Repression of Piracy, Armed Robbery against Ships, and Illicit Maritime Activity in West and Central Africa, 2013
 - 4.2.3.3 Recommendations to Governments for Preventing and Suppressing Piracy and Armed Robbery against Ships
 - 4.2.3.4 Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery against Ships
 - 4.2.3.5 Maritime Criminal Acts – Draft Guidelines for National Legislation
- 4.2.4 Regional Cooperation among States to Combat Piracy and Armed Robbery against Ships
 - 4.2.4.1 Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP)

4.3 STOWAWAYS

- 4.3.1 International Convention Relating to Stowaways, 1957
- 4.3.2 Convention on Facilitation of International Maritime Traffic, 1965, as amended (The FAL Convention)
- 4.3.3 IMO Resolution FAL.11(37) in “Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases”

4.4 HUMAN SMUGGLING AND HUMAN TRAFFICKING

- 4.4.1 United Nations Convention against Transnational Organized Crime, 2000
- 4.4.2 Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime
- 4.4.3 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime

4.5 THE TRAFFICKING OF ILLICIT DRUGS

- 4.5.1 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988

4.6 THE TRAFFICKING OF ILLICIT ARMS

- 4.6.1 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, 2001

4.7 MARITIME TERRORISM AND UNLAWFUL ACTS AGAINST THE SAFETY OF MARITIME NAVIGATION

- 4.7.1 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 (SUA Convention) and the 2005 Protocol thereto
- 4.7.2 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 1988 (SUA Protocol 1988) and the 2005 Protocol thereto

4.8 CYBER TERRORISM

- 4.8.1 Introduction to Cyber Terrorism
- 4.8.2 The Anti-Terrorism Treaties and Cyber Terrorism
 - 4.8.2.1 International Convention for the Suppression of Terrorist Bombings, 1997
 - 4.8.2.2 International Convention for the Suppression of the Financing of Terrorism, 1999
 - 4.8.2.3 International Convention for the Suppression of Acts of Nuclear Terrorism, 2005
- 4.8.3 Counter-Terrorism Activities Mandated by the UN Security Council

4.9 SHIP AND PORT FACILITY SECURITY

- 4.9.1 International Ship and Port Facility Security Code (ISPS Code)

4.10 OTHER MARITIME SECURITY ISSUES

- 4.10.1 Prohibition of the Transport of Slaves
- 4.10.2 Unauthorized Broadcasting from the High Seas
- 4.10.3 The Right of Visit
- 4.10.4 The Right of Hot Pursuit

5 SHIPPING LAW

5.1 NATIONALITY, REGISTRATION AND OWNERSHIP OF SHIPS

- 5.1.1 Nationality of Ships
- 5.1.2 Ship Registration
 - 5.1.2.1 Registration and Ownership of Ships
 - 5.1.2.1.1 The Concept of 'Genuine Link'
 - 5.1.2.2 Types of Ship Registries
 - 5.1.2.2.1 Closed Registries
 - 5.1.2.2.2 Open Registries
 - 5.1.2.2.3 International Registries
 - 5.1.2.3 Types of Ship Registration
 - 5.1.2.3.1 Regular Registration
 - 5.1.2.3.2 Bareboat Registration
 - 5.1.2.4 Provisions on Ship Registration in the Convention on the High Seas, 1958
 - 5.1.2.5 Provisions on Ship Registration in UNCLOS
 - 5.1.2.6 United Nations Convention on Conditions for Registration of Ships, 1986

5.2 CARRIAGE OF PASSENGERS AND THEIR LUGGAGE

- 5.2.1 Historical Development of International Regulation (1961 Convention and 1967 Convention).
- 5.2.2 Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974 (Athens Convention)
- 5.2.3 Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 2002 (Athens Convention 2002)
- 5.2.4 Guidelines for the Implementation of the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 2002 (IMO Reservation and Guidelines 2006)
- 5.2.5 Relationship between the Athens Conventions and Other Conventions on Limitation of Liability
- 5.2.6 Regulation (EC) No. 392/2009 on the Liability of Carriers of Passengers by Sea in the Event of Accidents of 23 April 2009

5.3 MARITIME LABOUR LAW

- 5.3.1 Status of the Captain and the Crew
- 5.3.2 International Labour Organization (ILO) and Maritime Labour Conventions
- 5.3.3 International Maritime Organization (IMO) and the Maritime Labour Convention, 2006 (MLC 2006)
- 5.3.4 Seafarers' Rights: The MLC 2006 and Amendments thereto
 - 5.3.4.1 MLC 2006: Preamble and Articles
 - 5.3.4.2 Explanatory note to the Regulations and Code of the MLC 2006
 - 5.3.4.3 Minimum requirements for seafarers to work on a ship

- 5.3.4.4 Conditions of employment
- 5.3.4.5 Accommodation, recreational facilities, food and catering
- 5.3.4.6 Health protection, medical care, welfare and social security protection
- 5.3.4.7 Compliance and enforcement
- 5.3.4.8 Duties of consuls to protect seafarers including obligations of flag States to care for their crews
- 5.3.4.9 Immigration/shore leave/maritime security

5.4 LAW OF MARITIME SAFETY

5.4.1 Ship Safety

- 5.4.1.1 International Convention for the Safety of Life at Sea, 1974 (SOLAS) and the 1978 and 1988 Protocols thereto, as amended
- 5.4.1.2 Torremolinos Protocol of 1993 Relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 (SFV PROT)
- 5.4.1.3 International Convention on Load Lines, 1966 and the 1988 Protocol thereto
- 5.4.1.4 International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 1969)
- 5.4.1.5 Classification Societies

5.4.2 Cargo Safety

- 5.4.2.1 SOLAS Chapters VI and VII
- 5.4.2.2 Code of Safe Practice for Cargo Stowage and Securing (CSS Code)
- 5.4.2.3 International Maritime Solid Bulk Cargoes Code (IMSBC Code)
- 5.4.2.4 International Code for the Safe Carriage of Grain in Bulk (International Grain Code)
- 5.4.2.5 Code of Safe Practice for Ships Carrying Timber Deck Cargoes (TDC Code)
- 5.4.2.6 International Convention for Safe Containers, 1972 (CSC Convention), as amended
- 5.4.2.7 International Maritime Dangerous Goods Code (IMDG Code)
- 5.4.2.8 International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code)
- 5.4.2.9 International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code)
- 5.4.2.10 International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code)

5.4.3 Occupational Safety

- 5.4.3.1 The Human Element and Safety Management
 - 5.4.3.1.1 SOLAS Chapter VIII
 - 5.4.3.1.2 International Safety Management Code (ISM Code)
- 5.4.3.2 Ship Operation, Manning Standards and Certification of Seafarers
 - 5.4.3.2.1 Principles of Safe Manning
 - 5.4.3.2.2 International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1995 (STCW Convention), as amended
 - 5.4.3.2.3 International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (STCW-F 1995)
 - 5.4.3.2.4 International Labour Organization (ILO) Conventions

5.4.4 Navigational Safety

- 5.4.4.1 SOLAS Chapter V
- 5.4.4.2 Aids to Navigation
 - 5.7.5.3.1 Maritime Signals and Beacons
 - 5.7.5.3.2 Radio Aids
 - 5.7.5.3.3 Meteorological Aids
 - 5.7.5.3.4 Hydrographic Aids
- 5.4.4.3 Navigational Aids
- 5.4.4.4 International Convention on Maritime Search and Rescue, 1979 (SAR), as amended
- 5.4.4.5 Convention on the International Maritime Satellite Organization, 1976 (INMARSAT), as amended
- 5.4.4.6 International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual, 2004

- 5.4.5 The Control of Ship Safety
 - 5.4.5.1 Flag State Control
 - 5.4.5.2 Substandard Ships and Actions against Substandard Shipping
 - 5.4.5.3 Port State Control
- 5.4.6 Maritime Safety in Polar Regions
 - 5.4.6.1 International Code of Safety for Ships Operating in Polar Waters (Polar Code)

5.5 LAW OF MARINE COLLISIONS

- 5.5.1 Basis of Liability in Collision Cases
 - 5.5.1.1 International Convention for the Unification of Certain Rules of Law Relating to Collision between Vessels, 1910
- 5.5.2 Jurisdiction in Collision Cases
 - 5.5.2.1 International Convention on Certain Rules Concerning Civil Jurisdiction in Matters of Collision, 1952
 - 5.5.2.2 The Draft International Convention for the Unification of Certain Rules Concerning Civil Jurisdiction, Choice of Law, and Recognition and Enforcement of Judgments in Matters of Collision, 1977 (Rio Rules 1977)
 - 5.5.2.3 International Convention for the Unification of Certain Rules of Law Relating to Penal Jurisdiction in Matters of Collisions or Other Incidents of Navigation, 1952
- 5.5.3 Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs), as amended
- 5.5.4 Casualty Investigation Code
- 5.5.5 Case Law on Collisions
- 5.5.6 Apportionment of Fault in Collision Cases

5.6 LAW OF SALVAGE AND WRECK

- 5.6.1 Principles of the Law of Salvage
- 5.6.2 International Convention on Salvage, 1989
- 5.6.3 Draft (Brice) Protocol to the International Convention on Salvage, 1989
- 5.6.4 Salvage under Standard Contract Terms - Lloyds Open Form of Salvage Agreement
- 5.6.5 Salvage and the Environment
- 5.6.6 Nairobi International Convention on the Removal of Wrecks, 2007 (Nairobi Convention)

5.7 LIMITATION OF LIABILITY FOR MARITIME CLAIMS

- 5.7.1 Concept of Global Limitation of Liability in Maritime Law
- 5.7.2 Historical Development of International Regulation (1924 Convention and 1957 Convention)
- 5.7.3 Convention on Limitation of Liability for Maritime Claims, 1976 (LLMC Convention)
- 5.7.4 Protocol of 1996 to Amend the Convention on Limitation of Liability for Maritime Claims of 19 November 1976 (1996 LLMC Protocol), as amended by the 2012 limits of liability
- 5.7.5 Relationship between Global Limitation of Liability Conventions and Particular Liability Regimes

6 MARITIME LEGISLATION

6.1 GENERAL

- 6.1.1 Forms of Legislation
- 6.1.2 Types of Statutes
- 6.1.3 Anatomy of a Statute
- 6.1.4 Use of Language in Legislation Drafting
- 6.1.5 The Drafting Process
- 6.1.6 The Legislative Process
- 6.1.7 Relationship between International Law and Municipal Law
- 6.1.8 Rules of Statutory Interpretation

6.2 MARITIME

- 6.2.1 Types of Maritime Legislation
- 6.2.2 Subject Matter of Maritime Legislation
- 6.2.3 Options for Developing Maritime Legislation

- 6.2.4 The Role of Governments in the Negotiation, Development and Drafting of International Maritime Conventions
- 6.2.5 Incorporation of Maritime Conventions into Municipal Law
- 6.2.6 What Legislative Drafters Need to Know
- 6.2.7 Drafting Techniques for the Adequate Implementation of International Maritime Conventions in Municipal Law
- 6.2.8 Incorporation of Conventions by Reference
- 6.2.9 Drafting Exercises

ANNEX 2

Master of Humanities – M.Hum. – in International Maritime Legislation Programme Assessment and Examination Regulations

(These Regulations were promulgated in consultation with the Academic Committee in May 2017)

Citation and interpretation

1. (1) These regulations may be cited as the M.Hum. Assessment and Examination Regulations.

(2) In these regulations, unless the context otherwise requires:

“the Programme” means the Programme leading to the Degree of Master of Humanities – M.Hum. – in International Maritime Legislation;

“the Degree” means the Degree of Master of Humanities – M.Hum. – in International Maritime Legislation;

“the Diploma” means the Diploma in International Maritime Legislation;

“the Director” means the Director of the IMO International Maritime Law Institute;

“the Institute” means the IMO International Maritime Law Institute.

Assessment and Examination

2. (1) Candidates pursuing the Programme at the Institute will be assessed and examined in the following five (5) study units:

- a) the law of the sea examination,
- b) the shipping law examination,
- c) the maritime legislation drafting project,
- d) the research project, and
- e) the continuous assessment.

(2) Each study unit will carry a maximum of one hundred (100) marks.

Law of the Sea and Shipping Law Examinations

3. The law of the sea examination and the shipping law examination will be set in the form of written papers and/or oral examinations at the end of the Academic Year.

Research Project

4. The research project will be a supervised original written work of between ten thousand (10,000) and fifteen thousand (15,000) words submitted by the candidate on a subject of his or her choice within the M.Hum. programme structure presenting a comprehensive and objective assessment of how effectively the applicant’s country administers and implements IMO instruments and other internationally agreed maritime legal standards and proposing a roadmap, or plan of action, for the development of national legislation for the effective implementation of such instruments or standards.

Maritime Legislation Drafting Project

5. The maritime legislation drafting project will be an original written work submitted by the candidate in the form of a project of law incorporating an international maritime convention relating to a subject within the M.Hum. programme structure into the national legislation of the candidate's country.

Copyright

6. Upon submission, candidates assign absolutely copyright and all other rights of a like nature in any work, including the research project produced by them during the Programme to the Institute.

Disclaimer

7. Upon submission of the research project referred to in regulation 4 hereof and the maritime legislation drafting project referred to in regulation 5 hereof candidates shall sign a written declaration that the work in question is their own personal work and that they have not previously submitted such work and that they are not concurrently submitting such work in candidature for any other degree or diploma.

Continuous Assessment

8. (1) The continuous assessment will be based on the following components:

- a) attendance at lectures, tutorials, seminars, conferences, specialized courses, field visits and other activities organized by the Institute during the course of the Academic Year and for which attendance by candidates is compulsory, which shall represent ten *per centum* (10%) of the total marks awarded to candidates in this respect;
- b) performance in written assignments, oral presentations and practical exercises during the academic year shall represent thirty *per centum* (30%) of the total marks awarded to candidates in this respect;
- c) performance in written tests held at the end of the first semester shall represent sixty *per centum* (60%) of the total marks awarded to candidates in this respect;

(2) For the purposes of this regulation:

- a) During any Academic Year attendance at every lecture or other academic activity referred to in regulation 8 (1)(a) hereof is compulsory unless an exception is made in the event of illness of the candidate or for any other valid reason, in which case prior permission must be granted by the Director.
- b) Candidates are required to sign the attendance book for every lecture and academic activity referred to in regulation 8 (1)(a) hereof.
- c) Marks awarded in terms of regulation 8 (1)(a) hereof shall be calculated pro rata based on the total number of lectures and other academic activities held throughout the Academic Year and the number of lectures and other academic activities the candidate has attended.

Award of Degree

9. Subject to regulation 10 hereof candidates will be awarded the Degree if they obtain a total number of marks equivalent to at least forty-five *per centum* (45%) of the aggregate marks for all five (5) study units referred to in regulation 2 hereof, provided, however, that failure to attend at least eighty percent (80%) of the lectures and other academic activities held throughout the year shall prevent a student from meeting the requirements for the award of the Degree.

10. Without prejudice to regulation 9 hereof candidates must also obtain a total number of marks equivalent to at least thirty *per centum* (30%) of the marks set in respect of the law of the sea examination referred to in regulation 3 hereof, and a total number of marks equivalent to at least thirty *per centum* (30%) of the marks set in respect of the shipping law examination referred to in regulation 3 hereof.

11. Without prejudice to the generality of regulation 9 hereof candidates who obtain at least seventy-five *per centum* (75%) of the aggregate marks for all five (5) study units referred to in regulation 2 hereof will be awarded the Degree with Distinction.

Award of Diploma

12. A candidate who fails to satisfy the provisions of regulations 9 and 10 hereof will not be awarded the Degree but shall be eligible, upon applying to the Director, to receive the Diploma.

Re-sits of Examinations

13. (1) A candidate who fails to meet the requirements of regulations 9 and 10 hereof for the award of the Degree, may apply to the Director to sit, before the appointed date for the annual graduation ceremony, for a *viva voce* examination which would enable him or her to obtain the required marks for the conferment of the Degree during the annual graduation ceremony.

(2) A candidate who is not awarded the Degree in terms of regulations 9 and 10 hereof, may apply to the Director for permission to re-sit, at his or her expense before the commencement of the following Academic Year, for such examination or examinations as would enable him or her to obtain the required marks for the conferment of the Degree.

Prizes

14. At the end of the Academic Year the Institute shall award a number of Prizes. The list of Prizes and the criteria for the award thereof shall be published by the Institute from time to time.

ANNEX 3**ENGLISH LANGUAGE PROFICIENCY TESTING SYSTEMS**

Students who have not studied or made active use of the English language in recent years are STRONGLY advised to refresh their English knowledge PRIOR to their arrival in Malta.

Please note that the study of international maritime law in the English language demands a sophisticated knowledge of formal, and particularly written English.

Prospective students whose mother tongue is not English or who have not undertaken their studies in English are urged to take one of the following internationally recognized English language proficiency tests, and to assess their needs by consulting the following:

(*) **1. INTERNATIONAL ENGLISH LANGUAGE TESTING SYSTEM (IELTS)**

- Administered on demand at local British Council offices/British Embassies.

A pass above band 6 means the student can participate fully in the programme.

(*) **2. CAMBRIDGE CERTIFICATE OF PROFICIENCY**

A pass level means that the student can participate fully in the programme.

(*) **3. TEST OF ENGLISH AS A FOREIGN LANGUAGE (TOEFL)**

A pass above 600 or above 227 CBT or above 87 IBT means that the student can participate fully in the programme.

If the test taken is not one of the above, the score, together with reference material on the system used, may be sent to the Institute for evaluation and advice. A certified copy of the test results should be sent to the Institute along with the application.

(*) Further information on the tests mentioned in 1. and 2. may be obtained by contacting British Embassies/Consulates or the British Council, or the Institute.

(**) Further information on the test mentioned in 3. above may be obtained through American Embassies/Consulates or the U.S. Information Agency, or the Institute.

ANNEX 4

PROGRAMME FEE AND STARTING DATE

The programme fee for the academic year 2020-2021 is €25,000.

The academic year 2020-2021 programme will start on October 2020.

ANNEX 5

IMLI Guidelines on Student Conduct

PART I GENERAL

Citation and Interpretation

1. (1) These Guidelines may be cited as the IMLI Guidelines on Student Conduct.

(2) In these Guidelines, unless the context otherwise requires:

“**Administration**” means the Faculty and Members of Staff with administrative and secretarial duties at the Institute;

“**Delegated Official**” means the Member of Faculty or Staff so designated by the Director;

“**Director**” means the Director of the Institute;

“**Flat**” means a residential unit designated as accommodation;

“**IMLI**” or “**the Institute**” means the IMO International Maritime Law Institute;

“**Nominated Student**” means a student who has been accepted to the Institute’s programmes in such capacity;

“**Premises**” means the premises of the Institute including all residential accommodation as well as parking areas;

“**Resident**” means a student to whom a flat has been allocated by the Institute;

“**Student**” means an individual registered as an IMLI student in any of the Institute’s programmes and courses.

Applicability

2. These Guidelines shall apply to students admitted to any and all of the Institute’s programmes and courses.

General Student Conduct

3. By joining the Institute, students undertake to rigorously honour and abide by all its policies, regulations, and guidelines and undertake to constantly act in a manner which is consistent with and respectful of the international standing and repute of the Institute.

Health and Medical Insurance

4. All students shall be required to obtain appropriate medical insurance cover for the whole duration of their stay in Malta as a precondition for admission to the Institute's programmes and courses. Evidence of this insurance (all the documents must be issued in the English language or officially translated in the English language) may be required by the relevant Embassy when the student applies for an entry visa and will be required by the Expatriates Office to be able to issue a study residence permit that allows students to remain in Malta for the whole duration of the programme in which they are admitted. Should students find difficulty in obtaining insurance which cover extends to Malta, the Institute can assist in obtaining locally the required health insurance. The cost of the insurance is to be borne by the student.

5. (1) All students may be required to undergo a medical examination upon arrival at IMLI. The Director is entitled to see the report of such and any other examination.

(2) If a student is found to have a medical condition which is incompatible with his/her status as an IMLI student, the student may, at the sole discretion of the Director, be required to return to his/her home country.

**PART II
ACADEMIC MATTERS****Duration of the Programme**

6. The Director, in consultation with the Members of the Institute's Faculty, has the right to determine the date of commencement and termination of the programme.

Attendance to Lectures and other Academic Activities

7. (1) Attendance at every lecture or other academic activity is compulsory unless an exception is made in the event of illness of the student or other valid reason in which case prior express written permission shall be granted by the Director or Delegated Official.

(2) Students are required to sign the attendance book for every lecture and academic activity. Failure to attend at least eighty percent (80%) of the lectures and other academic activities held throughout the year shall prevent a student from meeting the requirements for the award of the relevant Degree, Diploma or other Certificate.

(3) No tape or electronic recording of the lectures shall be allowed.

(4) Failure to abide by paragraph 7 (3) above is liable to attract disciplinary action, including dismissal from the Institute.

(5) No computers and/or electronic devices shall be used during lectures or other academic activities without the prior express written approval of the Director. Any approval granted by the Director will be subject to the following conditions:

- (a) students shall apply for the Director's approval at the commencement of each semester of the programme;
- (b) authorized electronic equipment shall be used exclusively for the purpose of taking lecture notes; and
- (c) failure to abide by sub-paragraphs (a) and (b) above shall attract disciplinary action including, but not restricted to, fines to be determined by the Director or Delegated Official and the withdrawal of the Director's approval.

Books and other Study Materials

8. (1) Personal copies of selected text books will be provided to eligible students.

(2) Other study materials shall be provided to all students as deemed necessary by the Member of Faculty concerned.

(3) Students are advised to bring with them copies of the United Nations Convention on the Law of the Sea, 1982 and copies of their national maritime legislation.

Stipend

9. (1) Each nominated student while in residence at IMLI shall receive a stipend of €315 per month or pro-rata. The stipend is intended to cover a student's personal expenses including board and other day-to-day needs.

(2) No stipend shall be paid after the students leave the Institute at the end of the programme provided that a subsistence allowance shall be paid if the field trip, referred to in paragraph 20, takes place.

Photocopying Allowance

10. (1) Each nominated student shall receive a photocopying allowance of €50 at the beginning of the programme to cover costs of photocopying study and research materials. An additional amount may be provided in the second semester at the Director's discretion and upon written application made to him by the student representative on behalf of the class.

(2) The rate for photocopying at IMLI shall be 10 Euro cents per page payable to the Administration.

(3) Students shall not be permitted to approach any member of the Administration for doing any printing or photocopying other than in conformity with set procedures.

Word-Processing Allowance and Facilities

11. (1) Each nominated student shall receive a one-time allowance of €50 as a subsidy for defraying the costs incurred in the preparation of the dissertation / research project and maritime legislation drafting project. The allowance will be granted at the appropriate time during the programme.

(2) Students may avail themselves of the Institute's Student ICT facilities in accordance with the IMLI Guidelines for the Use of the Student ICT Facilities.

Lecture Hall and Common Room

12. (1) Students shall keep the Lecture Hall and Common Room in a clean and tidy condition.

(2) No furniture or appliances shall be removed from the Lecture Hall or Common Room.

(3) Students shall ensure that the Common Room is securely locked whenever not in use.

(4) No food shall be consumed in the Lecture Hall unless provided by the Institute.

(5) No smoking shall be allowed in the Lecture Hall and Common Room.

(6) The use of mobile phones in the Lecture Hall shall be strictly prohibited.

(7) The use of computers and/or electronic devices in the Lecture Hall shall be strictly prohibited, except as provided in paragraph 7(5) hereof.

Library

13. (1) The IMLI Library shall be available for use by students at designated times.

(2) No books or materials shall be removed from the library, whether for reading or photocopying, other than in conformity with the IMLI Guidelines for the Use of the Institute's Library.

(3) No smoking shall be allowed in the Library.

(4) The use of mobile phones in the Library shall be strictly prohibited.

Assessment

14. Student assessment shall be governed by the relevant regulations adopted by the Institute for individual programmes and courses.

Copyright

15. Students hereby waive any rights they may have in any work including dissertations / research projects and maritime legislation drafting projects produced by them at the Institute, if the Institute decides to publish such works in any form whatsoever.

Examinations

16. No electronic devices or dictionaries shall be allowed in the Examination Hall.

Important Visitors

17. Throughout the academic year, the Institute hosts a number of important visitors and it is customary to greet them in an appropriate manner. Students shall therefore greet the visitors in accordance with the procedures established by the Institute.

Posting of Books and other Study Material

18. Books and other study materials of nominated students shall be sent by parcel post to the respective home countries of the students at the end of the programme. Each nominated student shall be permitted a maximum of 20 kilograms of such books and other study materials. Details regarding packaging shall be provided by the Administration at the relevant time before students leave Malta.

Travelling

19. (1) No travelling abroad is allowed during the academic year except on weekends and public holidays.

(2) Students travelling abroad are required to obtain prior express written permission from the Director.

(3) In applying for such permission, students are required to provide the Director with information on the country of destination, date of departure, date of arrival, accommodation abroad and contact details accessible at all times.

Field Trip

20. (1) Subject to availability of sufficient funds and approval by the IMLI Governing Board, an educational field trip may be organized as part of the Institute's programmes and courses.

(2) The Institute shall be under no obligation to hold a field trip. However, if a field trip is held, participation at such trip and attendance at all events thereof are compulsory if so required by the relevant programme or course.

PART III
RESIDENTIAL MATTERS

Allocation and Vacation of Flats

21. (1) Allocation of flats to residents will be made by the Administration.

(2) A resident shall occupy the same flat for the whole duration of the programme unless a different flat is allocated by the Institute on a temporary or permanent basis.

(3) Flats shall be vacated at the end of the programme. All personal property shall be removed and the flat left in a clean condition.

Electricity Consumption

22. (1) Residents are allowed 600 units of electricity consumption free of charge per month.

(2) Any units in excess of the amount set out in the preceding paragraph shall be payable by the student and shall be deducted from the stipend payable to the student.

Laundry Facilities

23. (1) Residents may avail themselves of the Institute's laundry facilities designated for student personal use, according to the schedule set by the Administration.

(2) Male and female residents shall be allocated different washing days and times which shall be strictly adhered to.

(3) Residents shall not be permitted to dry their clothes in the courtyards, except on weekends and public holidays.

Cleaning and Maintenance

24. (1) IMLI reserves the right to enter all flats for cleaning and maintenance. Whenever possible, residents will be notified of any visits to be made other than routine cleaning visits.

(2) If it becomes necessary for IMLI to carry out extra cleaning of any flat, a charge may be levied on the resident.

(3) Residents are responsible for making their beds every day and cleaning their own dishes and kitchen utensils.

(4) Residents shall remove garbage and other refuse from their flats on a daily basis and place the same in the designated area from where the Institute's garbage is collected.

Safety, Security, Care and Maintenance of Premises

25. (1) No heating or cooking appliances other than those provided or approved by IMLI may be used in any flat.

(2) Damage caused by any resident to property owned or possessed by IMLI will be charged to that resident.

(3) Property owned or possessed by IMLI shall not be removed from the flat.

(4) Residents shall report to the Administration any damage or defects occurring in any flat or in any property or fixtures therein so that they may be repaired as necessary and responsibility for such damage or defect be determined.

(5) Residents shall not make any alterations or repairs whatsoever to the property, furniture, appliances or fittings provided by or through IMLI without the express approval of the Director or Delegated Official.

(6) No potentially dangerous substance or weapon shall be brought into the premises.

(7) No smoking is allowed on the premises except in the flats and in areas designated for smoking.

(8) Residents shall ensure that when lights or appliances are not in use they are disconnected or switched off.

(9) Residents shall ensure that their flats are securely locked at all times. IMLI shall not accept any responsibility whatsoever for the private possessions of residents that are lost in their rooms/flats.

(10) Residents shall ensure that the keys to their flats are in their possession at all times. Residents who are locked outside their flats may contact Mr. Joseph Mifsud (Driver/Maintenance Man) on telephone (+356) 79 310816 to assist them to gain access to their flats. Provided that on the first three occasions when assistance is rendered outside office hours, the resident requesting assistance will be liable for the dues for extra-time payable to the relevant member of staff giving assistance. Provided further that, after the third request for assistance, the resident requesting assistance will be liable for the dues for extra-time payable as aforesaid, together with an administrative charge of €25 payable to the Institute.

Orderliness on the Premises

26. (1) Only persons identified by the Administration shall be admitted to the premises.

(2) Residents may use their own radios, stereos, musical instruments and similar entertainment equipment in their respective flats provided such use does not cause undue noise, nuisance or inconvenience to others, in which case, such privileges shall be withdrawn.

(3) Residents shall not be permitted to bring any animal or household pet to the premises at any time.

(4) No private business or trade or the practice of any profession may be carried out on or from the premises.

(5) No resident shall be permitted to sublet any flat.

(6) Residents shall not be permitted to bring motorcycles, scooters or bicycles or parts thereof into the Institute's premises without the prior express written permission from the Director or Delegated Official. Students shall not park any vehicles or other means of transportation anywhere on the premises except in designated parking areas.

(7) A resident shall not be permitted to visit or remain in the flat of another resident between 10 p.m. and 8 a.m.

(8) No parties or assemblies of more than four persons shall be held by residents on the premises without the prior express written permission from the Director and the presence of a Member of Staff.

(9) A resident may not take up accommodation in any place outside the premises or otherwise absent himself/herself from the Institute without prior authorization from the Director. When requesting such authorization from the Director, the student shall provide details of where he/she may be contacted during his/her absence from the Institute.

(10) Should a student be in breach of the provisions of paragraph 26 (9), there shall be deducted from the stipend payable to him/her in terms of paragraph 9 hereof, a sum proportionate to the duration of his/her absence.

Courtyards

27. (1) Courtyards shall be kept clean and tidy. No garbage or refuse shall be left out in the courtyards. No cigarette butts are to be discarded in the courtyards.

(2) Any furniture placed in the courtyards shall not be removed without permission from the Administration.

(3) No noise, nuisance or playing of loud music is permitted in the courtyards.

Visitors and Guests of Residents

28. (1) Only bona fide guests or visitors, identifiable as such to the satisfaction of the Administration, shall be permitted to enter the premises to visit a resident.

(2) Visitors or guests of residents are not permitted to enter flats. Residents may meet with their visitors or guests in the common room or any of the courtyards.

(3) No visitors or guests of residents are permitted to enter or remain on the premises between the hours of 10 p.m. and 8 a.m. without prior express written permission from the Director or Delegated Official.

(4) Residents are personally responsible for their visitors and guests and are accountable for the conduct of such visitors and guests.

(5) IMLI shall not accept any responsibility whatsoever for the private possessions of visitors or guests or residents.

**PART IV
MISCELLANEOUS**

Violations

29. Any violation of these Guidelines is liable to attract disciplinary action, including dismissal from the Institute.

Final Provisions

30. In exceptional circumstances, and when the best interests of the Institute so require, the Director may override, at his discretion, the provisions of these Guidelines.

I hereby agree to abide by the IMLI Guidelines on Student Conduct.

IMO INTERNATIONAL MARITIME LAW INSTITUTE

SUMMARY FORM

INSTRUCTIONS

One copy of Application, Medical Report, Motivation and Reference Forms to be completed and air mailed along with documents relating to university qualifications and proficiency in English language, together with a bank draft or evidence of transfer of the application and processing fee to:

The Director
IMO International Maritime Law Institute
University of Malta Campus
Msida MSD 2080
Malta

Please use the following **checklist** to ensure that all necessary documents are completed and attached.

Application Form

To be completed and signed by the applicant. A recent photograph of the applicant is to be attached.

Documents relating to university qualifications

Duly certified true copies of documents in evidence of all university qualifications are to be attached.

Documents relating to English language proficiency

Duly authenticated certificate or other document in evidence of English language proficiency is to be attached (see Annex 3 of application package).

Medical Report Form

To be completed and stamped by a registered Government medical practitioner.

Motivation Form

To be completed by the student. Where needed, additional sheets may be attached.

Reference Forms

Two references are required. Referees are persons who are not related to the candidate and who are familiar with the candidate's character and qualifications.

Application and Processing Fee

A bank transfer to the Institute's bank account of the non-refundable application and processing fee of €150 referred to in paragraph 6 (f) of the application package.

IMO INTERNATIONAL MARITIME LAW INSTITUTE

M.HUM. APPLICATION FORM

ACADEMIC YEAR 2020-2021

<p><u>INSTRUCTIONS:</u> Please answer each question clearly. Type or print in ink. If you need more space, attach additional pages.</p>	<p>Please affix photo here</p>		
<p>1. FULL NAME (please underline family name)</p>			
<p>2. Mailing address: Telephone (with country & area code): (Office) (Residence) (Mobile) Facsimile: E-mail:</p>			
<p>2. Mailing address: Telephone (with country & area code): (Office) (Residence) Facsimile: E-mail:</p>			
<p>3. (a) Date of birth:..... (b) Nationality:..... (c) Sex:..... (d) Marital status:..... (e) Mother Tongue:..... (f) Passport details: (i) Passport no:..... (ii) Date & Place of issue :..... (iii) Valid until:.....</p>			
4. LANGUAGES	READING	WRITING	SPEECH
	Excellent Good Fair	Excellent Good Fair	Excellent Good Fair

PLEASE ATTACH CERTIFIED COPIES OF AVAILABLE CERTIFICATES/TEST REPORTS; OR DETAILS OF TYPE AND DURATION OF ENGLISH LANGUAGE STUDIES/EXPERIENCE (SEE ANNEX 3).

5. EDUCATION: Give full details, using the following space insofar as possible.

(A) University or equivalent.

Name of institution and address	Years attended From To	Degrees and academic distinctions	Main subjects

PLEASE ATTACH CERTIFIED COPIES OF DOCUMENTS SUPPORTING UNIVERSITY QUALIFICATIONS

(B) Schools or other formal education or training from age 14 (e.g. high school, technical school, or apprenticeship).

Name of institution	Type	Years attended From To	Certificates, diplomas obtained

6. PROFESSIONAL QUALIFICATIONS:

Name/Country of institution	Qualifications obtained	Study period	Subjects

7. MEMBERSHIP OF PROFESSIONAL SOCIETIES, PUBLICATIONS, ETC :

8. EMPLOYMENT RECORD: Starting with your present or most recent post, list in reverse order every employment during the last ten years and any significant experience not included in that period which you believe will be helpful in evaluating your record. Use a separate block for each post. Use additional sheets of paper as required.

Dates :	Exact title of your post :
From :	To :
	Type of business :
Name of Supervisor:.....	Name of Employer:.....
.....
.....
Address of Employer :	
.....	
Description of work you do:	

8. EMPLOYMENT RECORD (Continued):

Dates :	Exact title of your post :
From :	To :
	Type of business :
Name of Supervisor:.....	Name of Employer:.....
.....
.....
Address of Employer :	
.....	

.....
Description of work you do:

8. EMPLOYMENT RECORD (Continued):		
Dates	Exact title of your post :	
From :	To :	Type of business :
Name of Supervisor:..... Name of Employer:.....		
Address of Employer :		
.....		
Description of work you do:		

8. EMPLOYMENT RECORD (Continued):		
Dates :	Exact title of your post :	
From :	To :	Type of business :
Name of Supervisor:..... Name of Employer:.....		
Address of Employer :		
.....		
Description of work you do:		

8. EMPLOYMENT RECORD (Continued):		
Dates	Exact title of your post :	
From :	To :	Type of business :
Name of Supervisor:..... Name of Employer:.....		

<p>.....</p> <p>.....</p>
<p>.....</p> <p>.....</p>
<p>Address of Employer :</p> <p>.....</p>
<p>Description of work you do:</p>
<p>9. State any other relevant facts and information which will assist in assessing your application:</p>
<p>I certify that the statements made by me in answer to the foregoing questions are true, complete and correct to the best of my knowledge and belief. I understand that any false statements or any required information withheld from this form may provide grounds for the withdrawal of any offer of participation from the Institute. If selected, I undertake to:</p> <ol style="list-style-type: none"> (1) conduct myself at all times in a manner compatible with my status as a student of the IMO International Maritime Law Institute; (2) remain in Malta during the period of the programme and dedicate myself full time to the study programme, as directed by the Institute; (3) refrain from engaging in political, commercial, or any other activities other than those covered by the study programme; (4) comply with the IMLI Guidelines on Student Conduct and any amendments thereto which may be adopted from time to time by the Institute; and (5) return to my home country at the end of the programme. <p>I understand and agree that the Institute may, at its sole discretion, terminate a candidate's participation in the programme. I also understand and agree that the Institute need not justify its decision.</p> <p>Date: _____ Signature of Applicant: _____</p>

IMO INTERNATIONAL MARITIME LAW INSTITUTE
MEDICAL REPORT FORM

INSTRUCTIONS

To be completed by a registered Government medical practitioner after thorough clinical and laboratory examination including X-ray of chest. The IMO International Maritime Law Institute reserves the right to require the candidate to undergo a further medical examination before he/she commences his/her studies.

Name of candidate: _____ Age: _____ Sex: _____

Is the person examined at present in good health and enjoying full working capacity?

Is the person examined able physically and mentally to carry on an intensive study away from his/her home?

Is the person examined free from communicable diseases (for example, tuberculosis and trachoma) which could present risks for both the candidate and his/her contacts during his/her studentship?

Does the person examined have any condition or defect which may require treatment during his/her studentship? If yes, please specify.

Full name and address of
examining physician
(print clearly)

Signature of examining physician:

Stamp:

Date: _____

To be completed by a registered Government medical practitioner

