

CML Shipping Law Update: Cases in 2024

15 May 2025

M Hotel, 81 Anson Road, Singapore 079908



On 15 May 2025, the Centre for Maritime Law (CML) at the National University of Singapore, Faculty of Law, hosted the CML Short Course on Shipping Law Update: Cases in 2024 at the M Hotel. Professor Stephen Girvin, MPA Professor of Maritime Law and Director of CML, delivered the seminar, attended by 45 legal practitioners and shipping professionals.

Professor Girvin discussed twelve cases, including two local decisions. Three of those were the UK Supreme Court cases. *MUR Shipping BV v RTI Ltd* (2024) was concerned with understanding the force majeure clause in the charterparty and whether accepting non-contractual performance was a reasonable endeavour to avoid it. *The Giant Ace* (2024) dealt with the fundamental issue of whether the Hague-Visby Rules time bar extinguishes claims for misdelivery after discharge; it followed the English Commercial Court and Court of Appeal in finding that it did. *The MSC Flaminia* (2025) reversed the long-standing rule that a charterer could not limit its liability to the owner under Art 1 of the LLMC 1976, but followed the lower courts in finding that a majority of the claims were not limitable under Art 2 of the LLMC 1976. The following case was *The Doric Valour* (2024), in which the English Court of Appeal considered title to sue, causation, and the amount of losses recoverable when the rights were assigned to a third party.

The next four were trial cases concerned with BL issues. In *The Raquel S* (2024), the Court found Maersk's standard terms to be adequately incorporated into the contract when booking the voyage through its electronic booking system. *The Maersk Klaipeda* (2024) dealt with whether issuing a clean bill of lading can be considered a breach of Art III, r 3(c) of the Hague Rules, misstatement, or a breach of a duty of care. *The Maersk Katalin* (2024), a local case, concerned whether there was a misdelivery when cargo was delivered against an LOI. The subsequent insolvency of the purchaser complicated the facts. *The Jeil Crystal* (2024), another local case, dealt with the title to sue, misdelivery, and liability for switching B/Ls.

The remaining cases were also trial cases. In *The MV Aquafreedom* (2024), offer and acceptance in the charterparty context were discussed. *The Skyros and Agias Minas* (2024) dealt with the issue of the late delivery of the ship under a time charterparty and whether the owner suffered any loss when the ships in question were under MOAs for sale to a third party. *The X-Press Pearl* (2024) discussed the meaning of shipowner and whether this term covered slot charterers under Art 1 of the LLMC 76. *The Kiran Australia and the Belpareil* (2024) was a rare collision case where the dispute developed not around the COLREGS but arose from anchor dragging and reaction to the dangerous situation.

Professor Girvin also provided a list of 2024 shipping common law cases not discussed during the presentation, a list of reported arbitrations, shipping law books published, CML working papers, and the shipping law articles published in 2024.

