



UNIVERSITI KUALA LUMPUR
Malaysian Institute of Marine Engineering Technology

FINAL EXAMINATION
MARCH 2025 SEMESTER SESSION

SUBJECT CODE : LGB23902

SUBJECT TITLE : MARITIME LAW

PROGRAMME NAME : BACHELOR OF ENGINEERING TECHNOLOGY
(FOR MPU: PROGRAMME LEVEL) (OFFSHORE) WITH HONOURS

BACHELOR OF ENGINEERING TECHNOLOGY (NAVAL ARCHITECTURE AND SHIPBUILDING) WITH HONOURS

TIME / DURATION : 09.00 AM - 11.30 AM
(2 HOURS 30 MINUTES)

DATE : 23 JUNE 2025

INSTRUCTIONS TO CANDIDATES

1. Please read **CAREFULLY** the instructions given in the question paper.
 2. This question paper has information printed on both sides of the paper.
 3. This question paper consists of **TWO (2)** Sections; Section A and Section B. Answer all questions in Section A and **THREE (3)** questions only in Section B.
 4. Please write your answers on the answer booklet provided.
 5. Answer **ALL** questions in English language **ONLY**.
 6. Answer should be written in blue or black ink except for sketching, graphic and illustration.
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THERE ARE 6 PAGES OF QUESTIONS, EXCLUDING THIS PAGE.

SECTION A (Total: 40 marks)**INSTRUCTION: Answer ALL questions.****Please use the answer booklet provided.****Question 1**

Examine the following incidents. Your answer should start with either **"Guilty"** or **"Not Guilty"** followed by the reasons. In answering your questions, assume that all countries claimed their waters until the maximum limit permissible by the United Nations Convention on the Law of the Sea 1982.

- (a) The Vietnamese vessel MV Song Tu Tay was caught conducting illegal sand dredging activities 3 nautical miles off the coast of Brunei.
- (b) A German research ship was observed conducting seismic surveys 180 nautical miles off the coast of Argentina, with prior notification to the Argentine government.
- (c) A Singaporean-flagged tanker was found discharging oily waste 1 NM off the coast of Thailand without using an oil-water separator.
- (d) The cargo ship MV Luminous Sky, registered in the Netherlands, was observed sailing 14 nautical miles off the coast of Indonesia without stopping, heading directly to Australia.
- (e) The British naval ship HMS Defender pursued a pirate skiff and detained it on the high seas in the Indian Ocean.
- (f) A Sri Lankan fishing boat was detected fishing 10 nautical miles off the coast of India without a license.
- (g) A North Korean cargo ship was detected deploying communication buoys 140 nautical miles off the coast of Japan without notification.
- (h) An American private yacht passed 6 nautical miles from the coast of Fiji, without stopping or interfering with local activities.

Question 2

Examine the following incidents and determine whether the salvage effort is **legally recognized as pure salvage or not**. Justify your answer by applying appropriate elements of salvage.

- (a) A privately-owned tugboat voluntarily rescues a drifting fishing vessel in the open sea during heavy weather. No prior agreement or duty existed.
- (b) A government search and rescue vessel assists a capsized passenger boat as part of its statutory duties under SOLAS.
- (c) A cargo ship assists another commercial vessel taking on water after a collision, with the consent of the master, 40 nautical miles from shore.
- (d) A ship's own crew manages to save the vessel from flooding using onboard pumps during a storm.
- (e) A towage company retrieves a barge under a pre-arranged contract in fair weather.
- (f) A navy vessel escorts its own country's naval ship back to base after a steering malfunction.
- (g) A fishing crew finds an unmanned luxury yacht drifting in rough seas and tows it safely to port without instruction or expectation of reward.
- (h) A privately-owned speedboat saves a stranded yacht from hitting rocks near a marina during a sudden storm, without any prior arrangement.

(20 marks)

SECTION B (Total: 60 marks)**INSTRUCTION: Answer THREE (3) questions only.****Please use the answer booklet provided.****Question 3**

(a)

Article taken from a maritime website:

Marine Pollution and Its Legal-Ethical Implications on the Maritime Industry

Marine pollution remains one of the most pressing issues affecting the global maritime industry today. As international trade continues to expand via sea routes, the risk of pollution from ships - whether accidental or deliberate - poses significant threats to marine ecosystems, human health, and the ethical responsibilities of maritime professionals. The United Nations Convention on the Law of the Sea (UNCLOS) 1982, particularly Part XII, provides the international legal framework to prevent, reduce, and control marine pollution. However, enforcement and ethical compliance remain critical challenges for the industry.

Pollution from ships can take many forms, including oil spills, discharge of ballast water, release of hazardous substances, sewage dumping and garbage disposal. High-profile incidents such as the Exxon Valdez oil spill in 1989 and MV Wakashio grounding in 2020 demonstrate the long-term ecological and economic damage such events can cause. These disasters not only highlight legal violations but also ethical lapses in safety practices, preparedness and accountability within the maritime sector.

Under UNCLOS Article 211, states are required to adopt laws and regulations to prevent marine pollution from vessels, which must meet or exceed global standards such as those under the International Convention for the Prevention of Pollution from Ships (MARPOL). Yet, compliance depends not just on legislation but on the professional ethics of all stakeholders - from shipowners and operators to engineers and port authorities.

Ethically, maritime professionals are entrusted with the responsibility to protect the environment while facilitating global trade. This means adhering to proper waste management protocols, conducting maintenance to prevent oil leaks and ensuring that crew members are

trained in pollution prevention. When cost-saving measures override environmental safety, the industry risks both legal penalties and the erosion of public trust.

The issue is more pressing in developing nations, where regulatory enforcement is often weaker, and older ships are more likely to bypass environmental standards. Flags of convenience further complicate accountability, allowing shipowners to register vessels in jurisdictions with lenient regulations. This creates a moral hazard where profit is prioritized over the planet.

Nevertheless, recent developments show positive progress. The IMO's Action Plan to address marine plastic litter from ships and stricter enforcement of MARPOL Annex V on garbage management signal a growing commitment to sustainability. Additionally, some companies are investing in green ship technology and implementing voluntary environmental audits to demonstrate corporate responsibility.

In conclusion, marine pollution is not just a legal matter - it is a deeply ethical issue. While UNCLOS and MARPOL provide the legal framework, the effectiveness of these instruments relies heavily on the integrity and responsibility of maritime practitioners. Ethical decision-making must be embedded in maritime education, daily operations and corporate governance to ensure that the oceans remain viable for future generations. As custodians of the sea, the maritime industry must rise to the challenge of protecting the environment while maintaining efficient and lawful trade practices.

Discuss the impacts of this issue towards maritime industries.

(12 marks)

(b) List FOUR (4) international conventions related to maritime safety and operations issued by the International Maritime Organization (IMO).

(8 marks)

Question 4

- (a) State the meaning of UNCLOS.

(2 marks)

- (b) A cargo vessel named MV Ocean Venture, registered in Singapore, is sailing from Jakarta Port, Indonesia to Busan Port, South Korea. On its journey, the ship passes through the following maritime zones:

Point X: Located 8 nautical miles from Kuantan Port, Malaysia

Point Y: Located 18 nautical miles from Sihanoukville Port, Cambodia

Point Z: Located 160 nautical miles from Port of Osaka, Japan

Discuss the situation under the United Nations Convention on the Law of the Sea (UNCLOS 1982) with respect to the rights of the coastal state and the user state (Singapore) at Point X, Y, and Z.

(18 marks)

Question 5

- (a) Define the concept of salvage.

(2 marks)

- (b) Given a tug boat, a navy patrol boat and a private yacht, create situations which can be considered as (a) pure salvage and (b) non-pure salvage condition. Explain the situations with respect to the elements of salvage.

(18 marks)

Question 6

- (a) Court Case: Triton Maritime Ltd. v. OceanShield Insurance Co.
Triton Maritime Ltd. purchased a marine insurance policy from OceanShield Insurance Co. to cover its cargo ship, MV Triton Legacy, for its voyage from Mombasa to Mumbai. During underwriting, Triton declared that the ship was recently dry-docked and fully compliant with all safety regulations. Two months later, the ship suffered severe damage in the Gulf of Aden due to engine failure during rough sea conditions. Investigations revealed that Triton had withheld critical information, including an internal report warning of serious mechanical issues with the engine prior to departure. Use the basic FOUR (4) principles of marine insurance for your argument in this case.
(10 marks)
- (b) Court Case: Southern Blue Exports v. Global Marine Insurance Ltd
Southern Blue Exports, an exporter of frozen seafood, insured a container shipment from Port Klang to Rotterdam. The cargo, valued at RM500,000, was covered under Global Marine's marine cargo insurance. Upon arrival, the cargo was found completely spoiled due to refrigeration failure en route. Southern Blue claimed the full RM500,000 under the policy. However, Global Marine later discovered that the same cargo had been partially paid for by a buyer prior to shipment, and its actual insurable value was only RM350,000 based on invoices. Use the basic FOUR (4) principles of marine insurance for your argument in this case.
(10 marks)

END OF EXAMINATION PAPER