

開南大學 96 年度第 1 學期物流與航運管理學系教學計劃表

課程編號	1 0 4 0 2 0 6 0 1	必修	授課教師：王肖卿 老師 開課系所：物流與航運管理 學系 年級班別：四年 A/B 班
班次	四 A/B		
課程名稱(中文)		學分數	課程名稱(英文)
國際運輸法			International Transport Laws
教學目標與內容	教學目標：使同學了解種與運輸相關的國際私法規；包括國際公約、國際標準條規，及影響國際貿易相關的內國運輸法規。 教學內容：國際公約、國際標準條規，及貿易相關國的運輸法之解釋及實務上之適用情形。		
實施方法	<input checked="" type="checkbox"/> 講解法 <input checked="" type="checkbox"/> 實作法 <input checked="" type="checkbox"/> 討論法 <input type="checkbox"/> 演習法 <input checked="" type="checkbox"/> 問答法 <input type="checkbox"/> 其他_____		
評量方式	期中測驗 30% 期末測驗 40% 平時成績 30% 其他_____ 成績 100%		
授課使用及參考書籍	(請按作者、書名、版別、出版商、發行地、出版年份、起訖頁數順序填寫)。 王肖卿、物流單證與國際運輸法規釋義、初版、文史哲出版社(國立編譯館主編)、台北、2005.10(1-645 頁) 自編簡報檔。以及以下參考書籍 張新平、海商法、二版、五南圖書出版公司、台北、2004.1。凌鳳儀，航空運輸管理概論，文笙書局，2002 年 8 月。蘇雄義，全球運籌：國際物流管理，華泰文化出版有限公司，2005 年 3 月。		
科目簡介(含課程大綱及教學進度)：			
<p>一、從物流過程使用的單證上所遵循之國際法規探討各種國際法應用於物流過程之解釋及適用性。</p> <p>二、網狀的複式運送對於貨方而言，本來就有許多不利之處，包括：封條完好的貨櫃，到底在哪一個階段造成貨損，難以辨識。貨損有可能是經過歷次累積的摔跌、擠壓、而不是一次造成的，貨方到底要找哪一個運送者負責，是有困難的。何況不同的運送人根據不同的運輸公約就可能承擔不同程度的責任，甚至還有「該負責任」及「可以免責」的區分。這種情形對於貨方就造成一種不公平。適用不同運輸公約的時候，還會有間隙，也就是說，在運送的責任上，會有三不管的法律空隙。因此不同運輸公約中的運送人與貨主都必須了解物流過程中所有的法規，也就是複式運送相關的法規。</p> <p>三、國際公約"Conventions"，有海運公約、空運公約、內水公約、貨櫃集散站及倉儲營運人責任公約等。二 00 五年新修正草案中的「聯合國 International Convention on the Carriage of Goods wholly or partly by Sea」中並兼含歐盟鐵路公約與公路公約的精神。</p> <p>四、國際標準條規"Model Laws"，聯合國貿易發展委員會授權國際商會訂定之「信用狀統一慣例」、「電子提單規則」及「複式運送單証規則」等。</p> <p>五、強制適用的國內法，包括英、美「提單法」、「海上貨物運送法」，及大陸的「合同法」、海商法之「海上貨物運輸合同」等。六、各種海運單證之實務與適用性。</p>			

教學進度如下：

上學期：說明各種國際公約、國際標準規章。

下學期：相關貿易國指標性之國內法及實務上單證之應用。

說明：

1. 授課教師於學期前填寫本表，經課程委員會審核後，影印分送給教師所屬課程委員會召集人，授課班級所屬系、所及教務處課務組；並於開始上課時，將本內容向學生說明。
2. 本表於 91.4.23 第四次校課程委員會討論通過。

課程委員會召集人：王肖卿

授課教師：王肖卿

物流航運系
主任 王肖卿

課務組
96.9.7
收文章

Kainan University Department of Logistic and Shipping Management

Syllabus for International Transport Laws

Course Code No.	Course Title	Instructor	Subject	Level of Course	Credits	Hours per Week
124020601	Chinese: 國際運輸法		<input type="checkbox"/> required <input type="checkbox"/> elective	Year: one year Class: 4 th A/B	4	2
	English: International Transport Laws	Course Prerequisites	Basic Marine Transport theory such as Transport, Marine and Management of Shipping etc.			
Teaching Goals and Content	<ol style="list-style-type: none"> To make students understand all private laws of shipping, air, terminal warehouse and Inland Waterway in the world. The details including UN Conventions, Model laws as well as the national law of trading countries of Taiwan. To compare with the practical usage of these laws and documents. 					
Teaching Methods	Lectures, discussion and question-and-answer					
Grading and Evaluation Criteria	midterm 30% final 40% class participation 30%					
Textbooks	(author, title, edition, publisher, place of publication, year of publication, pages covered)					
	Christina Wang, "Documents concerned in the logistic process and the International laws-with expressions and explanations", Lapen Publishing Company, Ltd.(edited by National Institute for Compilation and Translation), Taipei, 2005.10(page 1-645)					

Course Description (including outline and course schedule):

- From the documents used in the logistic process to understand International transport laws concerned.
- Multimodal transport to the cargo owners side is a complicated and disadvantageous. How could cargo in sealed containers being damaged when found in opening. What time and which stage be it occurred, which carrier or operator should be responsible for the damage are puzzled by the cargo side. Applied laws are the key to solve those problems. There is also inter-space when applied different laws. The traders, operators and carriers should understand clearly each laws concerned.
- UN Conventions including Sea, Air, Inter-land Waterways Transport and Terminal, Warehousing, as well as the newest issue Draft of Carriage of Goods wholly or partly by Sea, which deals with surface transport of Rail and Road are the Conventions portion. Uniform Customs and Practice for Documentary Credits, International Trade Terms are the main International Model Laws to deal with. Carriage of Goods by Sea Act of United States of America, United Kingdom, Mainland China etc. are the main National Laws to discuss about.

Fall term: to discuss of Conventions and Modal laws, Spring Term: to discuss of National Laws concerned and practical usage of documents

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Instructions:

1. Teachers should fill out this form before the semester begins. After it has been verified by the curriculum committee, the original should be given to the office of curriculum planning and a copy to the head of the department to which the course belongs. In addition, the teacher should explain this syllabus to students at the beginning of a semester.
2. This form was approved by the curriculum committee on April 23, 2002.

Christina Wang

signature of the convener of the curriculum committee

Christina Wang

signature of the teacher

