開南大學 96 年度第 2 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	2			授課教師:王肖卿 老師		
班次		<u>рч</u>						必修	老師 e-mail:christna@mail.knu.edu.tw					
開課系所:	物流與航運管理學系							理學	系	V	選修	老師分機:2701,6066		
年級班別:	四年 A/B 班													
課程名稱(中文)										學	分數	課程名稱(英文)		
國際運輸法(下)											2	International Transport Laws		
教學目標 與內容														
實施方法	よ v講解法□實作法 v討論法□演習法 v問答法□其他 小考										法▼問答法□其他_小考			
期中測驗 30% 期末測驗 30% 平時成績 30% 其他														
授課使用及		(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)。												
		張新平、海商法、增訂二版、五南圖書出版公司、台北、2004.10												
		柯澤東、海喬法、初版、元照出版有限公司、台北、2006.6												
		梁宇賢、海商法論、再修訂初版、三民書局股份有限公司、台北、1997.10												
參考書籍	İ	鄭玉波、林群弼、海商法、13 版、三民書局股份有限公司、台北、2003.10												
		林群弼、海商法論、修訂二版、三民書局股份有限公司、台北、2005.9												
		及其他各書局出版之海商法、												
		王肖卿、物流單證與國際運輸法規釋義、初版、文史哲出版社、台北、2005.10												
科目簡介(含課程大綱及教學進度):														



科目簡介(含課程大綱及教學進度):

- 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運輸法應用於物流過程之解 釋及適用性。
- 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。
- 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。2007年修正之運輸法草案"Draft Convention on Carriage of Goods wholly or partly by Sea"業以涵蓋海、空及陸運,其中兼含歐盟鐵路公約與公路公約的精神,課程中亦將一併作說明。
- 四、國際標準規章"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,亦屬課程內容之一。
- 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。

教學進度如下:

上學期:說明各種國際公約、國際標準規章。

物流航星 王肖卿

下學期:相關貿易國指標性之國內法及實務上單證之應用。

課程委員會召集人: 王肖卿

授課教師:王肖卿

物流航運系王肖尔門主任王肖尔門



Kainan University

Department of Logistic and Shipping Management

(Fall/Spring)Semester_4thYear Course Syllabus											
Course Code No.	Course Title	Instructor	Subject	Level of Course							
	Chinese: 國際運輸法(下)		required	Year: 4th							
		Christina Wang	V elective	Class(AorB): A&B							
	English:	e-mail/phone ext:	Credits:4								
	International Transport	christna@mail.knu.edu.t									
	Laws	w/0933-134-150,									
		2701,6066	:								
Teaching Goals and Content	 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 in relation with transport documents concerned. 										
Teaching	The second secon	The state of the s	discussion								
Methods	v question-and-answer	other (detai	ls)							
Grading and Evaluation Criteria	midterm30 % other% (details		class participati								
Textbooks	(author, title, edition, publisher, place of publication, year of publication, pages covered)										
	"Maritime Code" of any authors,										
	Christina Wang, "Documents concerned in the logistic process and the International laws-with expressions and explanations",, first edition,										
	Lapen Publisher Co., Ltd., 2005.10										
Course Description (including outline and course schedule):											
1. From the documents used in the logistic process to understand International transport laws											
concerned.											
	transport to cargo side is a	2									
	sealed containers being damaged when found in opening at the destination. 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.											
3. UN Conven	tions including Sea, Air, Ir	nter-land Waterways Tran	sport and Teri	minal, Warehousing							
etc., the late	etc., the latest issue of Draft Convention of Carriage of Goods wholly or partly by Sea is also dealed										
with in this	in this course, which refers to surface transport of Rail and Load and air carriage. Uniform toms and Practice for Documentary Credits, International Trade Terms are the main										
Customs an											
	al Model Laws to deal with. Carriage of Goods by Sea Act of United States of America.										

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

United Kingdom, Mainland China etc. are the main National Laws to discuss about.

Instructions:

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. 97. 3, 12

Christina	Wang			
signature	of the conven	er of the	curriculum	committee

<u>Christina Wang</u> signature of the teacher



