

Carriage of goods by sea act

Law



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Carriage of Goods by Sea Act al Affiliation The exceptions of the Carriage of Goods by Sea Act include the following:

Dangerous Cargo

Sacrifices in perils

Due diligence in avoiding the loss of goods

These exceptions exist, in order to protect the carrier from being liable for the loss of the goods in dire circumstances (Wilson, 2001). Such exceptions protect the carrier to the extent of their ability to prove that it was indeed necessary to lose the goods at sea.

I agree with the exceptions because they only operate at sea, where such issues could arise, such as sea perils that could force the carrier to lose the goods. In addition, I concur because the carrier has to prove the reasons for the loss of goods, failure to which they become liable for the loss (Anton, 2010). Therefore, the exceptions are fair to all the parties involved.

2. The lack of a defibrillator is an event external to the passenger because it shows negligence on the part of the airline. However, the installation of the equipment is expensive and airlines have become reluctant in the installation. Bob's case shows negligence as a defibrillator is a part of medical equipment necessary for in-flight emergencies.

It is an unexpected event because the airline did not have a compelling reason to incorporate the defibrillator in its medical equipment. Such cases as Bob's occur rarely, however, it is the responsibility of any airline to ensure the safety of passengers.

It is the responsibility of an airline to determine the medical conditions of its passengers (Anca, 2007). However, Bob's case was unexpected and the airline could take an action of installing defibrillators to avoid a repeat of

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such cases. Therefore, the company is not responsible for the Bob's death.

References

Anca, J. (2007). Multimodal safety management and human factors: Crossing the borders of medical, aviation, road, and rail industries. Aldershot, England: Ashgate.

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Anton, G. (2010). Carriage of Goods by Sea UNCITRAL Draft Instrument on Carriage of Goods by Sea and the Possibility of Harmonization of Carrier Liability Regimes (1. Aufl. ed.).

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Wilson, J. (2001). Carriage of goods by sea (4th ed.). Harlow: Longman.