

TABLE OF CONTENTS

	PAGE
<i>Preface to the Fifth Edition</i>	v
<i>Table of Cases</i>	xiii
<i>Table of Statutes</i>	xlvii
<i>Table of Statutory Instruments</i>	li

PARA

PART I

Common issues on c.i.f. and f.o.b. contracts

1. THE COMMERCIAL AND LEGAL CONTEXT OF C.I.F. AND F.O.B. SALES	
1. THE COMMERCIAL CONTEXT OF C.I.F. AND F.O.B. SALES.....	1-002
2. THE LEGAL CONTEXT	1-005
3. THE STRUCTURE OF THIS WORK.....	1-014
2. RISK AND PROPERTY IN THE GOODS	
1. THE PASSING OF RISK: THE RULE.....	2-003
2. THE EXCEPTIONS TO THE RULE	2-018
3. TRANSFER OF PROPERTY	2-040

PART II

C.i.f. contracts

3. THE NATURE OF A C.I.F. CONTRACT	
1. THE DEFINITION OF A C.I.F. SALE	3-004
2. THE NATURE AND ESSENCE OF C.I.F. CONTRACTS.....	3-011
3. C.I.F. VARIANTS	3-022

4. SHIPMENT

1. THE PHYSICAL DUTY TO SHIP.....4-002
2. CONTRACTUAL GOODS.....4-008
3. DESCRIPTION OF THE GOODS.....4-016
4. FITNESS FOR PURPOSE AND SATISFACTORY QUALITY4-025
5. THE QUANTITY4-031
6. A FULL CARGO.....4-037
7. THE TIME OF SHIPMENT.....4-043
8. THE PLACE OF SHIPMENT4-059
9. THE SHIP.....4-063
10. THE ROUTE.....4-068
11. THE DESTINATION4-084

5. THE BILL OF LADING AND OTHER TRANSPORT DOCUMENTS

1. TRANSPORT DOCUMENTS: THE SELLER'S BASIC DUTY.....5-004
2. BILLS OF LADING PROPER.....5-010
3. OTHER TRANSPORT DOCUMENTS.....5-087

6. THE POLICY OF INSURANCE

1. THE DUTY OF THE SELLER: EXPRESS STIPULATIONS6-002
2. ... AND WHEN THE CONTRACT IS SILENT6-006
3. THE AMOUNT OF THE COVER6-026
4. THE TERMS OF THE POLICY6-036
5. WAR RISK COVER6-043
6. ALL RISKS COVER.....6-050

7. OTHER DOCUMENTS

1. THE LEVEL OF THE DUTY7-005
2. THE COMMERCIAL INVOICE7-017
3. EXPORT LICENCES7-021

4. QUALITY, QUANTITY AND OTHER CERTIFICATES.....7-035

8. BUYERS' OBLIGATIONS UNDER A C.I.F. SALE

1. PAYMENT OF THE CONTRACT PRICE: (A) IN CASH AGAINST DOCUMENTS TRANSACTIONS8-004
2. (B) ... AND UNDER A LETTER OF CREDIT8-023
3. DUTY TO NOMINATE THE DESTINATION IF NOT FIXED BY THE CONTRACT8-031
4. BUYER'S OBLIGATION TO COMPLY WITH THE FORMALITIES OF IMPORT8-039

PART III
F.o.b. contracts

9. THE VARIOUS TYPES OF F.O.B. CONTRACTS

1. A BRIEF HISTORY OF THE F.O.B. TERM.....9-002
2. THE FLEXIBLE NATURE OF F.O.B. CONTRACTS.....9-008
3. THE MOST COMMON F.O.B. VARIANTS9-018
4. F.O.B. "WITH ADDITIONAL (CARRIAGE) SERVICES" VERSUS C. & F.....9-030

10. DUTIES OF THE SELLER: DELIVERY OF GOODS AND TENDER OF DOCUMENTS

1. PHYSICAL DELIVERY10-002
2. LOADING, STOWAGE AND PACKAGING.....10-031
3. DOCUMENTARY DUTIES IN GENERAL.....10-039
4. THE BILL OF LADING OR OTHER EVIDENCE OF SHIPMENT10-044
5. EXPORT LICENCES10-053

11. BUYERS' OBLIGATIONS UNDER AN F.O.B. SALE

1. THE DUTY TO MAKE AN EFFECTIVE NOMINATION.....11-002
2. SHIPPING THE GOODS: COSTS AND LIABILITIES11-026
3. EXPORT AND IMPORT LICENCES11-033

4. EXPORT AND IMPORT DUTIES, TAXES AND OTHER CHARGES11-036

5. PAYMENT OF THE PRICE11-042

12. F.O.B. INSURANCE ISSUES

1. THE SELLER'S DUTY OF NOTIFICATION12-004

2. INSURABLE INTEREST AND F.O.B. SALES12-009

PART IV

Frustration, force majeure and remedies

13. FORCE MAJEURE AND FRUSTRATION

14. REMEDIES

1. CONTRACTUAL TERMS AND REMEDIES14-002

2. WAIVER AND ESTOPPEL14-006

3. BREACH OF CONTRACT BY THE SELLER: THE RIGHT TO REJECT14-015

4. STATUTORY REMEDIES FOR BREACH OF CONTRACT BY THE BUYER14-020

5. DAMAGES IN C.I.F. AND F.O.B. CONTRACTS14-028

6. PARTICULAR ISSUES WITH REGARD TO INSTALMENT SHIPMENTS14-045

PART V
Conflict of laws

15. JURISDICTION

1. INTRODUCTION15-001

2. ARBITRATION15-005

3. COURT JURISDICTION15-022

16. GOVERNING LAW

1. INTRODUCTION16-001

2. SCOPE OF ROME I—CONTRACTUAL OBLIGATIONS16-004

3. FREEDOM OF CHOICE16-013

4. LIMITS ON THE EFFECTIVENESS OF PARTY CHOICE16-024

5. NO CHOICE16-032

6. ROME II—NON-CONTRACTUAL OBLIGATIONS16-038

PAGE

Appendices

1. 1889 FACTORS ACT475

2. MARINE INSURANCE ACT 1906481

3. CARRIAGE OF GOODS BY SEA ACT 1971507

4. SALE OF GOODS ACT 1979, AS AMENDED517

5. CONTRACTS (APPLICABLE LAW) ACT 1990545

6. CARRIAGE OF GOODS BY SEA ACT 1992569

7. JURISDICTION REGULATION (44/2001)575

8. ROME II603

9. ROME I616

10. INCOTERMS 2010637

11. UCP 600659

12. INSTITUTE CARGO CLAUSES675

13. GAFTA 100 CIF FORM692

FOSFA 54 CIF FORM704

GAFTA 64 FOB FORM715

FOSFA 53 FOB FORM722

14. REGULATION (EU) NO 1215/2012 RECAST731

Index775

<http://www.ipbookshop.com>