

## DIGEST OF JOURNAL ARTICLES PUBLISHED TO 31 AUGUST 2006

Kylie Weir\*

The following journal articles have been published in the last 12 months on matters relating to Australian & New Zealand maritime law:

R Baird, 'CCAMLR Initiatives to Counter Flag State Non-Enforcement in Southern Ocean Fisheries, *The Symposium: Law of the Sea*' (2005) 36(4) *Victoria University of Wellington Law Review* 733

V Bantz, 'Views from Hamburg – The Juno Trader or How to Make Sense of the Coastal States' Rights in Light of its Duty of Prompt Release' (2005) 24 *University of Queensland Law Journal* 415

P Battat and M Lenihan, 'Developments in Shipping Law' (2005) June 2005 *New Zealand Law Journal* 175

L Cordonnery, 'Implementing the Pacific Islands Regional Ocean Policy: How Difficult is it Going to Be?' *The Symposium Law of the Sea*' (2005) 36(4) *Victoria University of Wellington Law Review* 723

M Davies, 'Australian Maritime Law' (2005) *International Maritime and Commercial Law Yearbook* 1

E Davitt, 'Tighter Marine Security' (2006) May 2006 *Australian National Security Magazine* 32

S Derrington, 'A Piece – Neither a Package nor a Unit: *El Greco (Australia) Pty Ltd v Mediterranean Shipping Co SA*' (2005) 68(1) *Modern Law Review* 111

S Derrington, 'Better the Devil You Know?' (2005) 5 *Shipping and Transport Lawyer International* 24

S Derrington, 'Bunkers – Not 'Property' but Ship' (2006) *Shipping & Transport Lawyer International*

S Derrington, 'Digest of Australian Maritime Cases July 2000 to 30 June 2004' (2005) *Il Diritto Marittimo* 1

S Derrington, 'JI Macwilliam Company Inc v Mediterranean Shipping Company SA *'The Rafaela S'*' (2005) 24 *University of Queensland Law Journal* 191

S Derrington, 'The Admiralty Jurisdiction in Australia and South Africa: Too Far or Not Far Enough?' (2005) 11(6) *Journal of International Maritime Law* 409

S Derrington, 'The Hague Rules – A Lost Opportunity' (2005) 121 *Law Quarterly Review* 209

S Derrington, 'The UNCITRAL Draft Instrument – Does Australia Need It?' (2005) 33 *Australian Business Law Review* 70

C Forrest, 'Liability for Negligence of Compulsory Unlicensed Pilots' (2006) 12 *Journal of International Maritime Law* 95

C Forrest, 'Liability for Pure Economic Loss in Maritime Torts Confirmed' (2006) 12 *Journal of International Maritime Law* 103

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\* Student Editor, 2006/2007

- P Glover, 'The Strength of the Timor-Leste Case and Section 51 of the Constitution' (2005) 24(3) *Australian Resources and Energy Law* 307
- E Gold, 'Bloodhounds, Scapegoats and Fatcats: Criminal Action, Professional Duty and Corporate Duty for Responsibility in the Maritime Menagerie' (2005) 24(2) *University of Queensland Law Journal* 251
- M Harvey, 'Arresting Surrogate Ships: Who is an Owner?' (2005) 33(4) *Australian Business Law Review* 312
- S Hetherington, 'Australian Bunker Arrest (*The Genco Leader*)' (2006) 1 *Lloyds Maritime and Commercial Law Quarterly* 22
- S Hetherington, 'Liability for Unauthorized Letter of Indemnity (*Pacific Carriers v BNP Paribas*)' (2005) *Lloyds Maritime and Commercial Law Quarterly* 136
- S Hetherington, 'When is an Owner not an Owner? *'The Cape Moreton''* (2005) *Lloyds Maritime and Commercial Law Quarterly* 428
- N Klein, 'Legal Implications of Australia's Maritime Identification System' (2006) 55(2) *International and Comparative Law Quarterly* 337
- D Leary & A Chakraborty, 'New Horizons in the Law of the Sea, *The Symposium: Law of the Sea*' (2005) 36(4) *Victoria University of Wellington Law Review* 675
- K Lewins, 'What's the Trade Practices Act Got to do With It?' (2006) (1) *eLaw Journal* 58  
<https://elaw.murdoch.edu.au/>
- G Lindell, 'Commonwealth Control of Ports as an Exercise of the Commonwealth's 'First and Most General Power'?' (2005) 16(4) *Public Law Review* 271
- J Mossop, 'Future Directions in the Law of the Sea: An Introduction, *The Symposium: Law of the Sea*' (2005) 36(4) *Victoria University of Wellington Law Review* 673
- J Mossop, 'When is a Whale Sanctuary not a Whale Sanctuary? Japanese Whaling in Australian Antarctic Maritime Zones' 36(4) *Victoria University of Wellington Law Review* 757
- P Myburgh, 'Admiralty in Wonderland' (2005) *Lloyd's Maritime and Commercial Law Quarterly* 302
- P Myburgh, 'Conflict of Laws and Vessel Ownership' (2005) *Lloyd's Maritime and Commercial Law Quarterly* 424
- P Myburgh, 'Shipping Law' (2005) *New Zealand Law Review* 287
- P Myburgh, 'Sommar di Legislazione e Giurisprudenza Nuova Zealanda: Recent Developments in New Zealand Maritime Law (2003-2005)' (2006) *Il Diritto Marittimo* 522
- M O'Brien, 'Insurable Interest – Social Welfare and Semantics' (2006) 17(2) *Insurance Law Journal* 105
- I Polson, 'New Role in Offshore Protection for Customs' (2005) *Winter 2005 Manifest* 5
- R Rayfuse, 'Future Compulsory Dispute Settlement under the Law of the Sea Convention, *The Symposium: Law of the Sea*' (2005) 36(4) *Victoria University of Wellington Law Review* 683

J Roberts, 'The Compulsory Pilotage in International Straits: The Torres Strait PSSA Proposal' (2006) 37(1) *Ocean Development and International Law* 93

A Serdy, 'Paradoxical Success of UNCLOS Part XV: A Half-Hearted Reply to Rosemary Rayfuse, *The Symposium: Law of the Sea*' (2005) 36(4) *Victoria University of Wellington Law Review* 713

A Sheehan, 'The Dispute Settlement Under UNCLOS: The Exclusion of Maritime Delimitation Disputes' (2005) 24(1) *University of Queensland Law Journal* 165

A Tettenborn, 'The Package or Unit Limitation and the Visby Rules (*El Greco v Mediterranean Shipping*)' (2005) *Lloyds Maritime and Commercial Law Quarterly* 1

M White and R Goss, 'Australian Maritime Law Update 2004' (2005) 36 *Journal of Maritime Law and Commerce* 253

M White and S Knight, 'Illegal Fishing in Australian Waters – The Use of UNCLOS by Australian Courts' (2005) 11 *Journal of International Maritime Law* 110

C Young, 'Balancing Maritime Security and Freedom of Navigation on the High Seas: A Study of the Multilateral Negotiation Process in Action *Special Edition: The United Nations and International Legal Order*' (2005) 24(2) *University of Queensland Law Journal* 355