

ISSN 1003-7659

CN 21-1584/D

# 中国海商法研究

CHINESE JOURNAL OF MARITIME LAW

4

2014

(总第43期)

**【海上运输】**

- 论我国货物综合运输法律体系的完善 ..... 蔺 妍, 韩立新 (3)  
国际贸易运输中的货物占有问题研究  
——以《鹿特丹规则》为背景 ..... 徐仲建 (11)  
论凭单放货要求对记名提单的直接适用性 ..... 董金鑫 (17)

**【海上保险】**

- 英国保险法改革对《1906年海上保险法》的影响 ..... 巴里斯·索耶 (24)  
保险人订约说明义务对海上保险之适用 ..... 刘奕彤, 王欣 (27)  
论保险人代位求偿权二审程序权利的构建 ..... 沈军 (35)

**【船员】**

- 船东投保船员团体人身意外伤害保险问题研究 ..... 宋俊文, 郭俊莉 (41)  
船员劳务合同纠纷典型法律问题思考 ..... 宋晓珂 (46)  
船员劳务岂是“个人劳务”？  
——兼论《侵权责任法》第35条在海事审判中的适用限制 ..... 吴胜顺 (53)

**【海事诉讼与仲裁】**

- 《纽约公约》中“公共政策”的理解与适用  
——以最高人民法院批复的8起案件为样本 ..... 徐春龙, 李立菲 (60)  
我国船舶司法拍卖规范的冲突与调适 ..... 李晓枫, 高俊涛 (67)

**【海洋法】**

- 岛礁之辨与外大陆架划界：问题与策略 ..... 卢芳华 (73)  
南极生物勘探相关法律问题的思考 ..... 刘茜 (81)  
船舶污染对无害通过权影响之检视 ..... 张国斌 (87)  
论“港口准入权”滥用对船舶管辖法律制度的冲击 ..... 胡斌 (93)

**【其他】**

- 主管机关海难救助法律行为研究 ..... 刘长霞 (101)  
论国际航运垄断协议之竞争规制 ..... 王秋雯 (109)  
  
中国海商法协会2014年大事记 ..... (118)  
《中国海商法研究》2014年总目录 ..... (119)

期刊基本参数:CN21-1584/D \* 1990 \* q \* A4 \* 120 \* zh \* P \* ¥15.00 \* 2000 \* 17 \* 2014-12 \* n

英文审校:谷 浩

## CONTENTS

Vol. 25 No. 4

### Chinese Journal of Maritime Law

Dec. 2014

#### [ Carriage of goods by sea ]

The theory on the improvement of Chinese legal system for integrated transport of goods .....	LIN Yan, HAN Li-xin	(3)
Research on the possession of goods in international trade transport —on the background of the <i>Rotterdam Rules</i> .....	XU Zhong-jian	(11)
On the direct application of the provision about delivery of goods with production of B/L to the straight B/L .....	DONG Jin-xin	(17)

#### [ Marine insurance ]

The influence of the reform of English insurance law on the <i>Marine Insurance Act 1906</i> .....	Baris Soyer	(24)
Application of insurers' obligation of interpretation of clauses to marine insurance .....	LIU Yi-tong, WANG Xin	(27)
On the establishment of the procedural right for the insurer's right of the subrogation in the second instance .....	SHEN Jun	(35)

#### [ Crew ]

On problems of group insurance for crew personal accident as insured by shipowners .....	SONG Jun-wen, GUO Jun-li	(41)
Thought on several typical legal issues about dispute of service contracts of seaman .....	SONG Xiao-ke	(46)
Is seaman employment a "personal employment"? —discussion on the limited application of Article 35 of <i>Tort Law</i> in maritime trial .....	WU Sheng-shun	(53)

#### [ Marine litigation and arbitration ]

The understanding and application of public policy in the <i>New York Convention</i> —on the basis of the 8 cases reviewed by the Supreme People's Court .....	XU Chun-long, LI Li-fei	(60)
The conflicts and readjustments of laws and regulations on ship's judicial sale under Chinese law .....	LI Xiao-feng, GAO Jun-tao	(67)

#### [ Law of the sea ]

Analyzing the relationship between delimitation of continental shelf and distinction between island and rock: problems and strategy .....	LU Fang-hua	(73)
Research on legal issues of Antarctic biological prospecting .....	LIU Qian	(81)
The impact of pollution from ships on the right of innocent passage .....	ZHANG Guo-bin	(87)
The challenge of abuse of port access permission right to maritime shipping regulation regime .....	HU Bin	(93)

#### [ Miscellaneous ]

Study on salvage acts conducted by the public authorities .....	LIU Chang-xia	(101)
Competition regulation of monopoly agreements in international shipping industry .....	WANG Qiu-wen	(109)

# 中国海商法研究

CHINESE JOURNAL OF MARITIME LAW

- CSSCI 扩展版来源期刊
- 中国期刊网全文收录期刊
- 万方数据——数字化期刊群全文收录期刊
- 中文科技期刊数据全文收录期刊
- 中国学术期刊综合评价数据统计源期刊

ISSN 1003-7659



9 771003 765005 >



国内定价：15.00元