Book Review


Australia is steadily increasing in importance as a major global trading state and supplier of natural resources such as minerals, coal, grain, cotton, and rice. In fact, it is estimated that Australia will overtake Qatar within the next decade as the world's major producer of natural gas. As an island nation, almost all imports and exports move by ship. In addition, most of Australia's abundant oil and gas reserves are found in the country's offshore areas. As a result, Australia's maritime sector is of increasing importance both nationally as well as internationally.

Traditionally the legal and regulatory aspects of the Australian maritime sector have been based on British maritime law. Although many vestiges of this remain, there have been sufficiently large changes that today Australia has its own maritime law system. Given Australia's importance in international trade any new information in this area is very welcome.

Michael White has produced a very important "new" treatise on Australian maritime law as it operates today. Although the book is categorized as a "third" edition, this is almost a misnomer as it is substantially a new book in terms of authorship, content, and size. For example, the second edition¹ was basically a collection of essays written by prominent Australian maritime law practitioners and academics. It was edited by Dr. White and was also much shorter. The new version has Michael White as the sole author and is different in terms of content, layout, and thrust.

Dr. Michael White, QC, of this Journal's Editorial Board, is one of Australia's preeminent maritime law specialists as a long-time practitioner, author, and academic. He is presently attached to the Marine and Shipping Law Unit of the University of Queensland's Law School in Brisbane. This new book forms the third in a trilogy of maritime law books compiled by this author in recent years.² It is probably the most important addition.

The book consists of seventeen chapters with a chapter devoted to each major area of maritime law: (1) Admiralty Jurisdiction and Australian

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¹See Australian Maritime Law (2d ed. 2000) (Michael White ed.).
²See Australasian Marine Pollution Law (2d ed. 2007) (Michael White ed.);
Michael White, Australian Offshore Laws (2009)
Constitutional Background; (2) Admiralty Jurisdiction: Admiralty Act, 1988. Actions in Rem, Arrest of Ships, Maritime Liens, Priorities; (3) Charter Parties and Contracts of Affreightment; (4) Carriage of Goods; (5) Carriage of Passengers; (6) Marine Insurance, General Average; (7) Ownership, Registration, Securities; (8) Navigation, Shipping, Safety; (9) Maritime Labour Law; (10) Marine Collisions and Groundings, Marine Inquiries; (11) Salvage, Wreck, Underwater Cultural Heritage; (12) Towage; (13) Pilotage; (14) Limitation of Liability; (15) Marine Pollution: Ships and Offshore Platforms; (16) Criminal Jurisdiction, Piracy; and (17) Prize, Prize Salvage, Bounty and Ransom. The book includes a very comprehensive Table of Cases and a detailed Table of Statutes as well as a helpful Index. Each chapter contains a very useful chapter summary in point-form at the beginning. Many of the chapters are also cross-referenced with other chapters.

Each chapter is relatively brief in comparison to the very large topics that are dealt with, but as the author states in the Preface, the main purpose of the book is to "to set out ... a short summary of the Australian current law on maritime matters and to guide the reader as to where to look for more detailed information." The author further notes that if more detailed information is required then "reference must be made to the few specialized Australian books, the more detailed British maritime law books."

Regrettably, the book does not come with a detailed bibliography and the reader is instead required to search for such sources in the chapter footnotes. As the book is intended to be a reference text, it is hoped that the author will add a bibliography in a future edition.

Nevertheless, the many positive aspects of this important new treatise far outweigh this one omission. It is anticipated that the book will become required reading in maritime law classes, and maritime law and shipping industry offices both nationally and internationally. In particular, maritime lawyers overseas with an interest in the Australian maritime sector will find this succinct reference text to be especially helpful. The law set out is up-to-date and very clearly presented. In particular, the inclusion of newer areas, such as the legal aspects of the offshore energy sector, and underwater cultural heritage, is of great importance. Even the coverage of historical areas, such as prize, bounty, and ransom will be of interest to many readers.

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