
Book Reviews

Edgar Gold, Alde Chircop and Hugh Kindred, *Essentials of Canadian Law: Maritime Law*. Toronto: Irwin Law, 2003, xxxiii, 908pp Can\$59.95 [ISBN: 1-55221-086-3]

Craig Forrest *

While specialised books on aspects of Canadian Maritime Law exist, the authors convincingly argue the need for a textbook for use by students, practitioners and regulators that provides a comprehensive statement on the scope and content of Canadian maritime law. The authors quite clearly succeed in providing such a book; the first since 1916.

While the book is aimed at law students, practitioners and regulators, its format and style is particularly suited to the former. The division of the book is unsurprising and contains the usual chapters that one would expect in a general work, including admiralty jurisdiction and procedure, ownership and registration of ships, maritime mortgage and liens, insurance, carriage of goods and passengers, pilotage, towage, salvage and wreck, environmental issues and limitation of liability. Moreover, since many law students may have no shipping or maritime background, the book provides a very useful chapter on an overview of the shipping industry; including an explanation of the different types of ships, the various parts of a ship, basic navigation and propulsion methods, the role of classification societies and the different personnel on board a ship. This chapter also includes a useful introduction to the various international organisations which have a role to play in the shipping industry and maritime law. This format permeates all chapters, where actual maritime practice is explained prior to a discussion of the law. The chapter on towage, for example, begins with a useful explanation of the types of tugs and conditions that might actually be applied during a tow, while the chapter on Maritime Pilotage begins with an explanation of the role of pilots and the structure and regulation of pilotage in Canada. A similar approach is taken in areas where an historical account of the development of the law is essential to its understanding and undertaken prior to a discussion of the law itself. This is particularly evident in the chapter on Marine Pollution. While the three authors each prepared a number of different chapters, this approach has been applied consistently, ensuring uniformity in style. At over 900 pages, one might expect an overly detailed exhaustively cited work. This is not, however, the case, and the length is the result of clear and full explanations written in an easily readable style that might be understood by the least 'nautical' student or practitioner.

While the existing Canadian legislation does, to a large extent, implement the United Nations Convention of the Law of the Sea, it is a little unfortunate that as this book went to press, Canada actually ratified the Convention. This does not detract significantly from the content, but may have some repercussions with regard to the longevity of this edition should there be significant statutory amendment following the ratification.

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While more comprehensive in both scope and content than Simon Baughen's textbook on UK *Shipping Law*, though less detailed than Michael White's edited *Australian Maritime Law*, it may be compared favourably with that of Martin Davies and Anthony Dickey on Australian *Shipping Law* and John Hare on *Shipping Law and Admiralty Jurisdiction in South Africa*. While this is a book on Canadian Maritime Law, its historical foundation is sufficiently similar to that of Australia and New Zealand to be of interest to Antipodean readers other than as a simple comparison. At a little over Aus\$60, it is certainly an affordable and worthwhile purchase.