

A Study on Legal Regimes Alternatives from the Aspect of Shenzhen Global Ocean Central City Construction

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Abstract : Shenzhen, one of the fastest growing cities in the world, has been building a global ocean central city since 2017, facing many challenges, especially how to innovate new legal regimes to meet the future demands of the development of global shipping. First, the current legal regime of bills of lading as a document of title was established by English law in the 18th century but limited to the period of marine transportation from port of loading to port of discharge (namely, port to port). The e-commerce era is asking for such a function to be extended from port to port to door to door. Secondly, the function of the port has also been upgraded from the traditional loading and unloading of goods to a much wider area, such as being custody of warehousing goods for its mortgage bank, and therefore its legal status is changing, so it is necessary to amend the law of ports and harbours and innovate the rights and responsibilities of the port under its new role as the custody. Thirdly, the development of new marine energy has made more and more offshore floating wind power and floating photovoltaic devices face new legal issues such as legal status, nationality and ownership registration, mortgage, maritime lien, and possessory lien. Fourthly, the jurisdiction of the above issues, as well as conflicts of law and the applicable law, are also questions pending answers. This paper will discuss these issues of private international law, especially the innovation of new legal regimes with an aim to solve the above problems.

Keywords : maritime law, bills of lading, e-commerce, port law, marine clean energy

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