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MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE

National Aviation University

Faculty of Law

Economic, Air and Space Law Department



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“16” 02 2023

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“16” 02 2023



Quality Management System

COURSE TRAINING PROGRAM

on

“Transport law”

Educational and Professional Program: “Multimodal transport and logistics”

Field of knowledge: 27 “Transport”


Speciality: 275 “Transport technologies (air transport)”

Specialization: 275.04 “Transport technologies (air transport)”

Mode of study	Sem ester	Total (hours/credits ECTS)	Lectures	Practicals	Self-Study	Semester Grade
Full-time:	5	120/4.0	17	34	69	Graded Test 5 s.

Index: CB-7-275.04-3/22-3.7

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The Course Training Program on “Transport law” is developed on the basis of Educational and Professional Program “Multimodal transport and logistics”, Curriculum and Extended Curriculum of Higher Education Seekers Training for “Bachelor” № CB-7-275.04-3/22 and ECB -7-275.04.-3/22 for Specialty 275 “Transport technologies” (on air transport) and corresponding normative documents.

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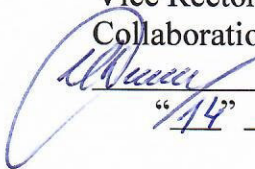
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## INTRODUCTION

Course Training Program (CTP) on “Transport Law” is developed based on the “Methodical guidance for the subject course training program”, approved by the order № 249/од, of 29.04.2021 and corresponding normative documents.

### 1. EXPLANATORY NOTES

#### 1.1. Place, objectives, tasks of the subject


The place of the subject in the system of professional training. The subject “Transport Law” is aimed at forming a comprehensive understanding of the system of international regulatory and legal regulation of relations in the transport sphere.

Main target to study the subject of the subject is to provide students with such a volume of knowledge in the field of transport law that would be sufficient for independent and competent orientation in modern conditions, making informed decisions on legal issues within the limits of their competence, solving various practical problems related to legal regulation of relations in the transport sector that may arise in their future professional activities.

The tasks of the discipline are: mastering knowledge of current international and national transport legislation and trends in its development; mastering the basic concepts and legal norms of transport law, acquiring the skills of interpretation and application of these norms in real practice; mastering the methods and means of transport law as a branch of law; study of the place of transport law among other branches of law; study of modern trends and problems of the development of transport law; study of the history of formation, development and current state of transport law in the international and national legal system.

#### 1.2. Learning outcomes the subject makes it possible to achieve

- Determining arguments' persuasiveness in evaluating previously unknown conditions and circumstances based on legal norms.
- Conducting collection and integrated analysis of materials from various sources.
- Giving a brief conclusion regarding individual factual circumstances (data) with sufficient justification.
- Drawing up and coordinating a plan of research and independently preparing materials based on specified sources.
- Independently determining the circumstances in which help needs clarification, and acting according to the recommendations received.
- Explaining the nature of certain events and processes with an understanding of the professional and social context.
- Using statistical information obtained from primary and secondary sources for professional activities in a correct way.

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- Skilled use of available information technologies and databases for professional activities.

- Demonstrating the necessary knowledge and understanding of the essence and content of the main legal institutions and norms of law in the transport field.

- Explaining the nature and content of the main transport and legal phenomena and processes.

- Applying the acquired knowledge in various legal situations, identifying legally significant facts and reaching justified legal conclusions.

- Preparing drafts of necessary acts of application of the law according to a legal opinion in various transport and legal situations.

### **1.3. Competences the subject makes it possible to acquire**

#### **a) General**

- Ability to apply knowledge in practical situations.

- Knowing and understanding the subject area and professional activity.

- Skills necessary to use information and communication technologies.

- Ability to act based on ethical considerations (motives).

- Ability to exercise one's rights and perform one's responsibilities as a member of society, to realize the values of civil (free democratic) society and the need for its sustainable development, the rule of law, and the rights and freedoms of a person and a citizen.

- Ability to preserve and enhance moral, cultural, and scientific values and achievements of society based on understanding of law's history and development patterns, its place in the general system of knowledge about nature and society and in the development of society, technical culture and technology.

#### **b) Professional**

- Ability to organize and manage cargo transport by various modes of transport.

- Ability to organize and manage transport of passengers and luggage by various modes of transport.

- Ability to operationally manage traffic flows.

- Ability to organize interaction of modes of transport.

- Ability to evaluate operational and technical as well as economic, technological, legal, social, and environmental components of a transport organization.


- Ability to assess and ensure safety of transport activities.

- Ability to organize international transport.

- Ability to organize freight forwarding services.

- Ability to use professionally profiled knowledge in the field of regulatory and legal support for managing the activities of transport and logistics companies.

- Ability to take into account the human factor in transport technologies.

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- Ability to logically, critically and systematically analyze documents, understand their legal nature and meaning.

#### 1.4. Interdisciplinary connections

This subject is based on the knowledge of such subjects as “Jurisprudence”, “General course of transport”, “Commercial law”, “Fundamentals of the theory of transport processes”, and is the ground for studying the following subjects, namely: “International transportation”, “Freight transportation”, “Passenger Transportation”, “Transport Safety”.

## 2. COURSE TRAINING PROGRAM ON THE SUBJECT

### 2.1. The subject content

The educational material of the subject is structured according to the modular principle and consists of one of the educational modules, namely: **educational module №1 “General provisions and features of legal regulation in the field of transport”**, which is a logical, complete, integral part of the educational subject, the mastery of which involves the implementation of a Module test and analysis of the results of its implementation.


### 2.2. Modular structuring and integrated requirements for each module

**Module №1 “General provisions and features of legal regulation in the field of transport”**

#### **Integrated requirements of module No.1:**

**Know:** A concept, a subject, a system and sources of national and international transport law; principal provisions regarding the place and role of transport law in the general structure of law; the most important institutions and norms of transport law; methods for regulating legal relations in the transport sector; regulatory terminology used to manage relations in the transport sector; organizational and legal principles of the transport industry in Ukraine and certain types of transport;

**Learning outcomes:** analyzing the norms of transport law and the texts of contracts in the field of transport law, comparing the norms of the current legislation of Ukraine with international norms in the domain of transport law; applying available national means to resolve conflicts, subject to the general requirements of international transport law; establishing conflict-of-laws principles and norms to be applied, and using the same correctly; interpreting provisions of international and national normative legal acts on transport

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activities; qualifying relevant facts and circumstances, analyzing law-making and law-enforcement practice with respect to issues in legal relations related to transport; predicting possible consequences of application of international and national transport legislation in practice.

### **Theme 1. General provisions of transport law.**

A concept and a subject of transport law. Legal relations in transport: concepts, features and types. A transport law's system. Transport law as a part of the legal system of Ukraine. Transport as an object of legal regulation. Sources of transport law of Ukraine: concepts and types.

Subjects of transport law: concepts, features and types. The state as a subject of transport law. The system of state bodies and other regulatory bodies that regulate transport activities. International organizations as subjects of transport law. Legal status of national carriers. Legal status of consumers of transport services.

### **Theme 2. Organizational and legal foundations of transport activity in Ukraine.**

State policy regarding legal regulations of the development of the transport system of Ukraine. A concept and a structure of the transport system of Ukraine. State regulation of transport activities, its goals and objectives. Forms and methods of transport management. Functioning of the unified transport system during the wartime period.

Vehicles as an object of legal relations. Ownership of vehicles. State registration of vehicles. Legal regulation of prices and tariffs for transport.

### **Theme 3. Legal regulation in the field of railway transport.**


A concept and a subject of railway law as a sub-branch of transport law. Sources and principles of railway law. A legal concept and system of railway transport. Powers of various subjects in railway transport management. State authorities that regulate railway transport.

Legal basis for organization and regulation of railway transport. Types of railway transport. Rules for the transport of passengers, luggage, cargo and mail by rail. Types of travel documents. A legal status of the passenger during transport by railway. Rules for freight transport by railways. Conditions for concluding contracts for transport by railway. International railway transport. International railway organizations.

### **Theme 4. Legal regulation in the field of road transport.**

A concept and a subject of automobile law as a sub-branch of transport law. Sources and principles of automobile law. A legal concept and system of road transport. Rights of subjects in road transport management. State authorities regulating road transport.

A concept and types of highways. A concept and classification of vehicles. Requirements for vehicles and their parts. Persons authorized to drive vehicles. A legal status of road users.

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Legal regulation of public passenger road transport services. Specifics and essential conditions of the contract for carriage of passengers by road transport. A legal status of passengers during transport by road. Specifics and essential conditions of the contract for carriage of goods by road transport. Documentation for transport of goods in a direct mixed connection. Legal status of a motor carrier. Liability of motor carriers.

Legal regulation of road transport in international traffic. National and international automobile organizations.

#### **Theme 5. Legal regulation in the field of water transport.**

A concept and a subject of water law as a sub-branch of transport law. Sources and principles of water law. A Legal concept and a structure of water transport. Powers of different subjects in water transport management. State authorities regulating water transport activities. Legal regulation of emergencies in river and maritime transport.

Legal regulation of maritime transport. Legal regulation of river transport. Specifics of the legal status of sea-borne and river-borne vessels. Specifics of the legal status of maritime and river ports. A legal status of the crew and commander of a sea-borne and river-borne vessel. Specifics of the contract of carriage of passengers and goods by river transport. Transport documents. Types of maritime transport contracts. A legal status of passengers during transport by river and maritime transport. Specifics of the maritime carriage contract. Transport documents. Concepts, types, details and functions of the bill of lading.

#### **Theme 6. Legal regulation in the field of air transport.**

A concept, a subject and place of aviation law in the system of transport law. Sources of air law. Legal concept and system of air transport. The system of air transport management bodies and their powers. Legal status of the State Aviation Service of Ukraine. A legal status of aircraft and aviation personnel.


Economic and commercial activities in civil aviation. Air transport: concepts and types, legal basis for their organization and regulation. A contract of international air transport, types of contracts, a procedure for concluding such contracts; rights, obligations and responsibilities of the parties under the contract. Specifics of the contract for carriage of passengers by air transport. Transport documents. A legal status of the passenger during air transport. Features of the contract for the carriage of goods by air transport. Transport documents. Liability of carrier in air transport.

Legal provision of civil aviation safety. Legal regulation of search and rescue of aircraft in distress.

#### **Theme 7. Legal regulation of urban electric transport.**

A concept and composition of urban electric transport. Legal basis for urban electric transport. The system of urban electric transport management bodies and their powers. A legal status of the Ukrtransinspektion.



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Specifics of the contract for transport of passengers by urban electric transport. Transport documents. Payment of transport services. Discounted travel in urban electric transport. A legal status of the customer in transport services. a Legal status of the carrier in urban electric transport. A legal status of passenger in transport by urban electric transport.


**Theme 8. Legal regulation in the field of pipeline transport.**

A Concept and a system of pipeline transport. Types of pipeline transport. Basic principles of state policy in the field of pipeline transport. Powers of regulatory bodies in pipeline transport

Industrial pipelines and their importance in the unified transport system. Specifics of economic activities in pipeline transport. Legal basis for pipeline transport in the wartime period.

**Theme 9. Legal regulation in the field of space transport.**


A Concept and a system of space transport. Legal basis for space transport activity. Powers of regulatory bodies in space transport. A concept and types of spacecraft. A concept and legal regulation of outer space. Single legal space of the International Space Station. Registration of a spacecraft. Launch of a spacecraft. Rescue and recovery of a spacecraft. State jurisdiction over a spacecraft and its crew. A legal status of cosmonauts, rescue and return of cosmonauts.

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### 2.3. Training schedule of the subject

№	Theme (thematic section)	Scope of studies (hours)			
		Full-time			
		Total	Lectures	Practicals	Self-study
1	2	3	4	5	6
<b>Module №1 “General provisions and features of legal regulation in the field of transport”</b>					
		<b>5 семестр</b>			
1.1	General provisions of transport law	14	2	2 2	8
1.2	Organizational and legal foundations of transport activity in Ukraine	14	2	2 2	8
1.3	Legal regulation in the field of railway transport	13	2	2 2	7
1.4	Legal regulation in the field of road transport	14	2	2 2	8
1.5	Legal regulation in the field of water transport	13	2	2 2	7
1.6	Legal regulation in the field of air transport	14	2	2 2	8
1.7	Legal regulation of urban electric transport	13	2	2 2	7
1.8	Legal regulation in the field of pipeline transport	11	2	2	7
1.9	Legal regulation in the field of space transport	10	1	2	7
1.10	Module test	4	-	2	2
<b>Total by the module № 3</b>		<b>120</b>	<b>17</b>	<b>34</b>	<b>69</b>
<b>Total by the subject</b>		<b>120</b>	<b>17</b>	<b>34</b>	<b>69</b>

2.4. Questions list for the examination is developed by the leading teacher of the department in accordance with the work program, approved at the meeting of the department and brought to the students' attention.

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### 3. BASIC CONCEPTS OF GUIDANCE ON THE SUBJECT

#### 3.1. Teaching methods

The following teaching methods are used when studying an academic subject:

- explanatory and illustrative method;
- the problem statement method;
- reproductive method;
- the method of working in small groups;
- partial search method;
- research method, etc.

The implementation of these methods is carried out during lectures, self-study of the student, study of educational literature, analysis of legal situations and solving of tests and practical problems.

#### 3.2. List of references

##### Basic literature

3.2.1. Кодекс Торговельного мореплавства України 23.05.1995 р. //Відомості Верховної Ради України. 1995. № 47-52. Ст. 349. (з наступними змінами і доповненнями).

3.2.2. Повітряний кодекс України 19.05.2011 р. //Відомості Верховної Ради України. 2011. № 48-49. Ст.536. (з наступними змінами і доповненнями)

3.2.3. Закон України «Про транспорт» 10.11.1994 р. //Відомості Верховної Ради України. 1994. № 51. Ст. 446. (з наступними змінами і доповненнями).

3.2.4. Закон України «Про залізничний транспорт» 04.07.1996 р. //Відомості Верховної Ради України. 1996. № 40. Ст. 183. (з наступними змінами і доповненнями).

3.2.5. Закон України «Про автомобільний транспорт» 05.04.2001 р. //Відомості Верховної Ради України. 2001. № 22. Ст. 105. (з наступними змінами і доповненнями)


3.2.6. Закон України «Про дорожній рух» 30.06.1993 р. //Відомості Верховної Ради України. 1993. № 31. Ст. 338. (з наступними змінами і доповненнями).

3.2.7. Закон України «Про автомобільні дороги» 08.09.2005 р. № 2862-IV (з наступними змінами і доповненнями).

3.2.8. Закон України «Про внутрішній водний транспорт» від 3.12.2020 р. № 1054-IX. URL: <http://w1.c1.rada.gov.ua/>

3.2.9. Закон України «Про морські порти України» від 17.05.2012 р. № 4709-VI.

3.2.10. Закон України «Про міський електричний транспорт» № 1914 від 29.06.2004 р. (з наступними змінами і доповненнями).

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3.2.11. Закон України «Про перевезення небезпечних вантажів. від 6.04.2000 р. №1644-III (з наступними змінами і доповненнями).

3.2.12. Закон України «Про трубопровідний транспорт» 15.05.1996 р. //Відомості Верховної Ради України. – 1996. - № 29. - Ст. 139. (з наступними змінами і доповненнями).

3.2.13. Закон України «Про мультимодальні перевезення» №1887-IX від 17.11.2021 р. (з наступними змінами і доповненнями).

### **Additional literature**

3.2.14. Гуцуляк В.М., Ключова Є.М. Українське та міжнародне морське право. Навчальний посібник. К. Ліра-К. 2022.

3.2.15. Корнеєв Ю.В. Транспортне право України. Навчальний посібник / Ю.В.Корнеєв. К. Центр учбової літератури, 2020. 168 с.

3.2.16. Міщенко І.В. Транспортне право України: навчально-методичний посібник (для студентів денної та заочної форми навчання) / І.В. Міщенко / Національний університет «Одеська юридична академія». Одеса. 2020. 62 с.

3.2.17. Сандюк Г.О. Морське право: навчальний посібник / Г.О.Сандюк, О.П.Сікорський. Миколаїв: НУК. 2020. 157 с.

3.2.18. Татарчук І.В. Транспортне право України. ТОВ «Центр учбової літератури». 2020. 304 с.

3.2.19. Транспортне право: Навчальний посібник / А.О.Ковальов, К.В.Кіле, С.М.Продащук та ін. Харків: УкрДУЗТ. 2022. 189 с.

3.2.20. Хом'яченко С.І., Хоцяновська Н.Ф. Правове регулювання використання авіатранспорту за договорами мультимодальних перевезень: окремі аспекти // Юридичний вісник. Повітряне і космічне право. 2019. № 3. С. 20-25.

### **3.3. Internet Information resource**

3.3.1. <http://zakon.rada.gov.ua/laws/show/>


3.3.2. <http://avia.gov.ua/>

3.3.3. <https://www.flyuia.com/ua/ua/information/>

3.3.4. <http://essuir.sumdu.edu.ua/handle/123456789/49012>

3.3.5. <http://www.nbu.gov.ua/>

3.3.6. 6. <http://www.tmssoft-ltd.com/ua/about/about.ph>

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#### 4. RATING SYSTEM OF KNOWLEDGE AND SKILLS ASSESSMENT

Assessment of certain kinds of student academic work is carried out in accordance with table 4.1.

Table 4.1

Kind of Academic Work	Maximum Grade Values
	Full-time:
5 semester	6
Module №1 “General provisions and features of legal regulation in the field of transport”	
Kind of academic work	Grade values
Carrying out labs (4p*16)	64
Execution of individual tasks (writing pecises, conference tesis)	18
<i>For admission to complete module test №1, a student must receive not less than</i>	40
Carrying out Module Test №1	18
<b>Total by the Modules №1</b>	100
<b>Total by the subject</b>	<b>100</b>

4.2. Completed types of educational work are credited to the student, if he received a positive rating for them.

4.3. The sum of rating assessments received by the student for certain types of completed academic work is the current modular rating assessment, which is recorded in the module control.


4.4. The final modular rating obtained by the student based on the results of the course defense and defense in points, on the national scale and ECTS scale is entered in the module control, as well as in the study card, individual student curriculum and Diploma Supplement, for example, as follows: **92 / Excellent / A, 87 / Good / B, 79 / Good / C, 68 / Sat./D, 65 / Sat./E, etc.**

4.5. The final semester rating is converted into a grade on the national scale and the ECTS scale.

4.6. The final semester rating in points, on the national scale and the ECTS scale is entered in the test report, study card and individual curriculum of the student (record book), for example, as follows: **92 / Excellent / A, 87 / Good / B, 79 / Good / C, 68 / Sat./D, 65 / Sat./E, etc.**

4.7. The Total Grade for the subject is equal to the average grade from Total Semester Grades with its further transformation into national scale and ECTS system.

The Total Grade is recorded to the Diploma Appendix

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**АРКУШ ПОШИРЕННЯ ДОКУМЕНТА**

№ прим.	Куди передано (підрозділ)	Дата видачі	П.І.Б. отримувача	Підпис отримувача	Примітки

(Ф 03.02 – 02)

**АРКУШ ОЗНАЙОМЛЕННЯ З ДОКУМЕНТОМ**

№ пор.	Прізвище, ім'я, по батькові	Підпис ознайомленої особи	Дата ознайомлення	Примітки

(Ф 03.02 – 04)

**АРКУШ РЕЄСТРАЦІЇ РЕВІЗІЇ**

№ пор.	Прізвище, ім'я, по батькові	Дата ревізії	Підпис	Висновок щодо адекватності

(Ф 03.02 – 03)

**АРКУШ ОБЛІКУ ЗМІН**

№ зміни	№ листа (сторінки)				Підпис особи, яка внесла зміну	Дата внесення зміни	Дата введення зміни
	Зміненого	Заміненого	Нового	Анульованого			

(Ф 03.02 – 32)

**УЗГОДЖЕННЯ ЗМІН**

	Підпис	Ініціали, прізвище	Посада	Дата
Розробник				
Узгоджено				
Узгоджено				
Узгоджено				