



MASTERCLASS WORKSHOP
**CARRIAGE CONTRACTS, LIABILITIES
AND CARGO CLAIMS**

London
7-9 October 2020

 **TRAINING**

The BIMCO Training logo is located in the bottom right corner. It consists of a white square with a blue gradient, followed by the word "BIMCO" in a small, blue, sans-serif font, and the word "TRAINING" in a large, bold, white, sans-serif font.

Day 1

- 08:30-09:00 *Registration / coffee*
- 09:00-09:20 **Course introduction**
- 09:20-10:30 **Overview of marine cargo claims**
The inter/relationship between:
- the cargo sale contract and
 - the carriage contracts and
 - the insurance contract.
- 10:30-11:00 **Who is the carrier?**
- the importance of the question
 - how is the question answered?
 - the position under chartered ships.
- 11:00-11:30 *Coffee*
- 11:30-12:15 **Contractual and non-contractual claims:**
- claims under the contract of carriage
 - claims in tort/delict outside the contract of carriage
- the effect on contractual defences.
- 12:15-13:00 **Who has the right to sue the carrier?**
- the effect of the transfer of the bill of lading from seller to buyer
 - the effect of insurance.
- 13:00-14:00 *Lunch*
- 14:00-15:15 **Introduction to the international conventions for the carriage of cargo by sea:**
- Hague Rules
 - Hague-Visby Rules
 - Hamburg Rules
 - Rotterdam Rules.
- 15:15-15:45 *Coffee*
- 15:45-17:15 **The carrier's duties: to provide a seaworthy ship and care of cargo:**
- the test of seaworthiness
 - when is seaworthiness relevant?
 - aspects of seaworthiness – physical, crew, documentary, local legal requirements
 - what is meant by due diligence?
 - what is meant by cargo worthiness?
 - Nature of carrier's duty of care
 - FIOST Clauses

Day 2

- 08:30-09:00 **Informal Q&A**
- 09:00-10:30 **The carriers' defences:**
- exclusions from liability
 - in what circumstances can the carrier rely on them?
 - limitation of liability
 - time limits.
- 10:30-11:00 *Coffee*
- 11:00-12:00 **Bill of lading as receipt**
- quantity/weight
 - apparent order and condition
 - date
 - mate's receipts
 - clean bills and claused bills
 - the evidential effect of the bill
 - "weight unknown" clauses.
- 12:00-12:30 **What is the governing contract of carriage when the vessel is chartered and bills of lading are issued?**
- 12:30-13:30 *Lunch*
- 13:30-14:30 **Jurisdiction and security requirements:**
- court or arbitration
 - arrest procedures
 - threshold jurisdiction
 - stay of proceedings.
- 14:30-15:30 **Cargo claims under multimodal carriage**
- 15:30-16:00 *Coffee*
- 16:00-17:30 **Case study 1**

Day 3

08:30-09:00 **Informal Q&A**

09:00-10:00 **Dangerous cargoes:**

- What is meant by “dangerous”?
- What is the shippers’ duty?
- What are the carrier’s rights?
- Who is liable for the shipment of dangerous goods?

10:00-11:00 **Relevant insurance issues (I):**

- cargo insurance
- the extent of cover
- recent developments.

11:00-11:30 **Coffee**

11:30-12:30 **Relevant insurance issues (II):**

- P & I insurance
- charterer’s liability insurance.

12:30-13:30 **Lunch**

13:30-15:15 **Case study 2**

15:15-15:30 **Coffee**

15:30-16:30 **Assessment for all participants:**

The assessment is an open book test, aimed at demonstrating the understanding of the subject of the Masterclass. For the purpose of improving the learning experience, the assessment will test the participant's ability to interpret, think critically and present an organized and well written answer. All papers will be marked and each participant will receive a certificate based on the result.

Speakers



Richard Williams

Richard Williams was a partner with Ince & Co for 25 years and was chairman of the firm’s dry shipping business group specialising in carriage of goods, charter parties and P&I issues. He was regularly consulted both by private clients and also by United Nations agencies and other international bodies in relation to industry-wide issues. He is the author of numerous articles on shipping law and is co-author of the standard textbook “Limitation of Liability for Maritime Claims” published by Lloyds of London Press (4th edition 2005). He is now a consultant to Ince & Co and a visiting professor, teaching maritime law at Swansea University.



Baris Soyer

Professor Soyer is the Director of the Institute of International Shipping and Trade Law at Swansea University (www.swansea.ac.uk/law/istl). He is a member of the British Maritime Law Association and British Insurance Law Association. He is the author of Warranties in Marine Insurance published by Cavendish Publishing (2001), Marine Insurance Fraud published by Informa Publishing and of an extensive list of journal articles published in elite journals such as Lloyd’s Maritime and Commercial Law Quarterly, Journal of Business Law, Cambridge Law Journal, Edinburgh Law Review, Law Quarterly Review, Torts Law Journal and Journal of Contract Law. He sits on the editorial boards of the Journal of International Maritime Law, Shipping and Trade Law and editorial committee of the Lloyd’s Maritime and Commercial Law Quarterly (International Maritime and Commercial Law Yearbook). He currently teaches Admiralty Law, Charter parties: Law and Practice and Marine Insurance on the LLM Programme, and is the Director of Shipping and Trade LLM programmes at Swansea.

Venue

Where will the course be held?

The course venue will be confirmed approximately 8 weeks before the start of the course so we can find a suitable venue for the number of participants.

Organiser



Peter Grube

Peter Grube is Head of Training, responsible for developing and delivering BIMCO courses and seminars world-wide. He joined BIMCO’s Support & Advice in 1990 and was later appointed Marketing & Sales Director. Prior to joining BIMCO he worked at a shipowning office in Copenhagen, as well as a sale & purchase broker in Greece.

Peter Grube is a graduate from the Danish School for International Marketing & Export and is a Chartered Shipbroker (FICS). He holds a Master’s in Education and Learning from Roskilde University (RUC).



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