

**SUPPLYTIME Masterclass Online** is a series of 10 online sessions highlighting key sections of BIMCO's SUPPLYTIME document. Each session will run for 90 minutes and offers participants a comprehensive overview of the commercial and contractual issues involved.

**Starting time:**

14:00 GMT/UTC

15:00 CET

Session	Date	Topic	Speaker(s)
<b>Session 1</b> (90 minutes)	<i>Monday</i> <i>17 January 2022</i>	<b>Introduction to SUPPLYTIME 2017 – Part I</b> <ul style="list-style-type: none"> <li>The revision process, discussions, and necessary compromises made by the sub-committee</li> <li>Is SUPPLYTIME 2017 better balanced than the previous versions?</li> <li>Why revising SUPPLYTIME?</li> </ul>	<i>Ian Perrott</i>
<b>Session 2</b> (90 minutes)	<i>Tuesday</i> <i>18 January 2022</i>	<b>Introduction to SUPPLYTIME 2017 – Part II</b>	<i>Ian Perrott</i>
<b>Session 3</b> (90 minutes)	<i>Wednesday</i> <i>19 January 2022</i>	<b>Delivery</b> <ul style="list-style-type: none"> <li>The charter period</li> <li>Late delivery</li> <li>Vessel condition on delivery</li> <li>Inspections</li> <li>Charterers rights</li> </ul>	<i>Tony Concagh</i>
<b>Session 4</b> (90 minutes)	<i>Thursday</i> <i>20 January 2022</i>	<b>Suspension of hire</b> <ul style="list-style-type: none"> <li>Suspension and payments</li> <li>Circumstances</li> <li>How to suspend hire</li> <li>Disputed invoices</li> </ul>	<i>Alistair Loweth</i>
<b>Session 5</b> (90 minutes)	<i>Friday</i> <i>21 January 2022</i>	<b>Employment &amp; operations</b> <ul style="list-style-type: none"> <li>Employment</li> <li>Structural alterations</li> <li>Bunkers/Fuel</li> <li>Unsafe ports</li> <li>War risks</li> <li>Fever and epidemics</li> <li>Force majeure</li> <li>Maintenance: Owner's obligations and allowances</li> </ul>	<i>Nicholas Kazaz</i>

<b>Session 6</b> (90 minutes)	<i>Monday 24 January 2022</i>	<b>Termination</b> <ul style="list-style-type: none"> <li>How to terminate for cause</li> <li>Termination for convenience</li> </ul>	<i>Tony Concagh</i>
<b>Session 7</b> (90 minutes)	<i>Tuesday 25 January 2022</i>	<b>Knock for knock and other exclusions</b> <ul style="list-style-type: none"> <li>Theory</li> <li>Practice</li> <li>Consequential loss exclusion</li> <li>Limitation</li> </ul>	<i>Alistair Loweth</i>
<b>Session 8</b> (90 minutes)	<i>Wednesday 26 January 2022</i>	<b>Using SUPPLYTIME for other types of business than OSV/AHTS</b> <ul style="list-style-type: none"> <li>Making SUPPLYTIME fit for other purposes - risks and pitfalls</li> <li>The BIMCO Special Task Annexes (BSTA)</li> <li>BSTA Helideck/Helicopter Operations</li> <li>BSTA Walk to Work Operations</li> <li>BSTA Extended Offshore Support</li> <li>BSTA Crew Qualifications</li> <li>BSTA Dynamic Positioning</li> <li>BSTA Remotely operated vehicles and diving platform operations.</li> </ul>	<i>Ian Perrott</i>
<b>Session 9</b> (90 minutes)	<i>Thursday 27 January 2022</i>	<b>The “Atlantic Tonjer” – the owners’ perspective</b> <ul style="list-style-type: none"> <li>Claims and counter claims</li> </ul>	<i>Nicholas Kazaz</i>
<b>Session 10</b> (90 minutes)	<i>Friday 28 January 2022</i>	<b>The “Atlantic Tonjer” – the charterers’ perspective</b> <ul style="list-style-type: none"> <li>Claims and counter claims</li> </ul>	<i>Tony Concagh</i>

#### DISPUTES UNDER SUPPLYTIME 2017 - THE “ATLANTIC TONJER”

The “Atlantic Tonjer” [2019] EWHC 1213 (Comm) is the first reported judgment on SUPPLYTIME 2017. The case was important for several reasons. A dispute arose under clause 12(e), the payments provision, which requires Charterers to notify Owners by no later than the due date of an invoice, if they reasonably believe that the invoice is incorrect. However, the case was not only an opportunity to clarify the effect of changes made to this specific clause, but also a valuable insight into the judicial interpretation of the overall changes made to SUPPLYTIME 2017. The two trainers, Tony Concagh and Nick Kazaz were both involved in the “Atlantic Tonjer” case, but on different sides.

Using the knowledge from the “Atlantic Tonjer” sessions 9-10 will bring together issues discussed in the previous sessions to create a toolkit for both owners and charterers. These toolkits can serve as a future personal and individual checklist for each participant when using the SUPPLYTIME form.

## Expert speakers:



**Ian Perrott**

Ian began his shipping career in 1976 as a boarding clerk with G.C. Fox & Co. in Falmouth. In 1979 he joined the Royal Navy as a Seaman Officer. After leaving the RN in 1982 he joined Stewart Offshore Services in Greenwich as an offshore broker and was transferred to their Aberdeen office in 1983 until 1987 when he joined The Maersk Co Ltd's as Assistant Manager for their OSV fleet. In 1990 he moved to Sealion Shipping Ltd as the Chartering Manager for their varied OSV fleet and was appointed to the Board in 2004 becoming the Commercial Director for the company. In 2009, he relocated to Hamburg and joined E.R Offshore GmbH as its Managing Director. Returning to the UK in 2015, he is now an Independent OSV Consultant working with a wide variety of companies and organisations involved in the Marine and Offshore support vessel industry. Ian was the Chairman of the BIMCO-Subcommittee tasked with revising SUPPLYTIME 2005/2017.



**Tony Concagh**

For more than 20 years, Tony has been a premier legal advisor to the offshore energy industry and has represented many of its best-known companies. A partner at Stephenson Harwood LLP since 2002, he has been described by his clients in legal directories as “tough and commercial”, “through and capable” and “a true offshore specialist”. He has acted for his clients around the world in many high profile disputes (both in the English High Court and in commercial arbitrations) including a \$500 million drilling rig dispute, which was the largest ever LMAA arbitration by value. He regularly advises on problems and disputes relating to specialist vessels including OSVs, SSVs, DSVs and CSVs, HLVs, and drilling units. As a result, he has unmatched experience with the BIMCO suit of offshore forms. In 2019, he represented the successful owners in the first reported case on SUPPLYTIME 2017, Atlantic Marine and Aviation LLP vs Boskalis Offshore. This established the basis on which an owner has the immediate right to payment of an undisputed invoice without set off. The decision has implications for payment terms in all forms of contracts on English law. In recent years he has been instrumental in the development of handling disputes in the offshore renewables industry. Most recently he and his team advised on schedule delays and cost increases on a £2.3 billion wind farm project. In 2017 he launched a successful judicial review in the English High Court on behalf of an EPIC contractor against the UK government's work permitting policy for non-EEA specialist crew constructing wind farms in UK waters. He has been invited to speak by BIMCO at workshops and presentations worldwide since 2008.





**Alistair Loweth**

Alistair is a Senior Associate at HFW. He advises clients on a wide range of marine, commercial, and international matters in the offshore and energy sectors. He has extensive practical experience of both transactional and contentious work including more than 5 years working in-house for a global oilfield service company. Alistair's work comprises advising on regulatory issues, day-to-day operational matters, contracts (including charters, offshore service contracts, drilling contracts, shipyard agreements, ship agency agreements, equipment leases, product sales and license arrangements), bespoke complex projects and restructurings, disputes and crisis response.



**Nicholas Kazaz**

Nicholas is a Senior Associate at HFW, where he focuses on international commercial dispute resolution, specialising in offshore oil & gas, energy, and marine. He focuses on disputes arising from installation contracts, charter parties, bills of lading, shipbuilding, rig disputes, towage, collisions, salvage, general average, groundings, total loss, and limitation. Clients he advises include energy companies, cable owners and operators, contractors, shipowners, charterers, shipyards, ship managers, brokers, and insurers / P&I Clubs. His experience extends to all the major arbitral institutions including LCIA, ICC, SIAC, SCMA, LMAA, ad hoc arbitration, and the English courts. Nicholas has experience of drafting and negotiating a range of contracts in the offshore energy and marine sectors, including BIMCO SUPPLYTIME, TOWCON and BARGEHIRE, LOGIC contracts, and other standard contracts, as well as bespoke contracts. Since joining HFW, Nicholas has undertaken secondments in Australia (to HFW's Perth Office with a focus on the Offshore / Oil & Gas / Commodities sectors), to the in-house legal team of a major international tanker owner, to an International Group P&I Club / Insurer, and a leading insurance broker. Nicholas is qualified in England and Wales.



The background image shows a hand signing a BIMCO contract form. The form is titled 'BIMCO' and contains several numbered sections:

- 1. Place and date of contract
- 2. Owners/Place of business (full style address and e-mail)
- 3. Charterers/Place of business (full style address and email)
- 4. Vessel's name and IMO number (ANNEX A)
- 5. Date of delivery (Cl. 2(a))
- 6. Cancelling date and time (Cl. 2(a) and (c))

## Facilitators:



### Peter Grube

Peter 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).



### Josephine Schöler

Josephine is Assistant Manager in BIMCO's Training Department. Her responsibilities include the implementation of BIMCO's training courses online and worldwide, the publication of courses, maintenance of the Training webpages and providing customer support.

Prior to joining the BIMCO Training team in the beginning of 2020, Josephine started to work at BIMCO in January 2019 in the IT department. She assisted with the previous charter party editor IDEA and the transition to the new editor SmartCon.

