

CARRIAGE CONTRACTS, LIABILITIES & CARGO CLAIMS

14-25 FEBRUARY 2022



The **Carriage Contracts, Liabilities and Cargo Claims Masterclass** is a series of 10 online sessions highlighting the fundamental issues related to the process of cargo claims, evidence, time bars and the flow documentation and how risks can be mitigated. Each session will run for 75-90 minutes.

Starting time:

09:00 GMT/UTC

10:00 CET

Session	Date	Topic	Speaker
Session 1 (75 minutes)	Monday 14 February 2022	Overview of marine cargo claims: the interrelationship between the cargo sale contract, the carriage contract, and the insurance contract. What is the governing contract of carriage when the vessel is chartered, and bills of lading are issued?	Richard Williams
Session 2 (75 minutes)	Tuesday 15 February 2022	Who is the carrier in relation to claims? The importance of the question and how is the question answered? The position in relation to chartered ships. Claims outside contract in tort	Richard Williams
Session 3 (75 minutes)	Wednesday 16 February 2022	Who has the right to sue the carrier and who is liable to the carrier? The problems caused by transferring the Bills of Lading	Richard Williams
Session 4 (90 minutes)	Thursday 17 February 2022	Introduction to the international conventions for the carriage of cargo by sea: Hague Rules, Hague-Visby Rules, Hamburg Rules, Rotterdam Rules	Baris Soyer
Session 5 (75 minutes)	Friday 18 February 2022	The carrier's duty to provide a seaworthy ship fit to carry the cargo. What is meant by due diligence? What is meant by cargo worthiness? Duty to carry cargo with due diligence	Baris Soyer
Session 6 (75 minutes)	Monday 21 February 2022	Evidence in marine cargo claims- practical implications	Baris Soyer
Session 7 (90 minutes)	Tuesday 22 February 2022	The carriers' defences: exclusions from liability; in what circumstances can the carrier rely on them? Limitation of liability and time limits	Richard Williams
Session 8 (75 minutes)	Wednesday 23 February 2022	Dangerous cargoes: What is "dangerous"? The shippers' duty and the carrier's rights. Who is liable for the shipment of dangerous goods?	Richard Williams
Session 9 (75 minutes)	Thursday 24 February 2022	Jurisdiction and security requirements: court or arbitration? Arrest procedures and threshold jurisdiction; stay of proceedings	Baris Soyer
Session 10 (75 minutes)	Friday 25 February 2022	Cargo Claims and Insurance	Baris Soyer

Expert speakers:



Richard Williams

Richard 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.

Facilitators:



Merete Lund Greisen

Merete Lund Greisen is Head of Support & Advice and has been with BIMCO since April 2013 and is responsible for advising and guiding BIMCO members on contractual issues and disputes. This involves recommending the right charter party forms, commenting on terms and clauses agreed (and to be agreed), interpretation and construction of charter parties and clauses. In addition to many years of relevant experience from the chartering departments of shipowners/operators, her background also gives her a cargo owner's point of view in all chartering aspects.

**Peter Storm**

Peter Storm, Manager, Support and Advice at BIMCO, is responsible for advising and guiding BIMCO members on contractual issues and disputes. This includes recommendation of relevant charter party forms, advice on terms and clauses, as well as guidance regarding interpretation and construction of charter parties. Peter's shipping career began as a trainee in 1994 with a Danish shipowner where he gained experience in both operational and commercial roles. He worked for many years with a major brokering firm holding a variety of positions as a shipbroker before joining BIMCO in 2013. Peter has also been employed within the financial sector for several years.

**Sibyl Xu**

Sibyl joined BIMCO in 2018 and started her career as a support for BIMCO's contract editing system SmartCon in Asia. In the meantime, she teams up with BIMCO's Training Department by hosting courses, particularly in the Far East. Sibyl graduated from the Shanghai Maritime University (SMU) and holds a Master's degree in International Law.

**Ayako Odashima**

Ayako is Manager in BIMCO's Training department and is responsible for marketing and implementation of BIMCO's training courses worldwide.

Prior to joining BIMCO in 2015, Ayako has worked for various international organizations, including UNICEF, FAO, WFP and UNOPS, and has been responsible for large-scale emergency logistics and coordinated training programs on humanitarian logistics and supply chain management in Asia, Africa, Europe and in the Middle East.

Ayako holds a MSc in International Relations from London School of Economics and BA from Boston University.

**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.