



MASTERCLASS
BILLS OF LADING

London
27-28 February 2023

 **BIMCO TRAINING**

Day 1

08:30-09:00 *Registration/coffee*

09:00-09:20 **Opening remarks and introduction to BIMCO and the participants**

09:20-10:30 **Overview of bills of lading:**

- the relationship between the contract of sale, the letter of credit, the charter party, the bill of lading and the insurance certificate
- how the sale contract influences and affects the carriage contracts
- the major functions of the bill of lading.

10:30-11:00 *Coffee*

The bill of lading as a receipt

11:00-12:00 **The bill of lading as a 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.

The bill of lading as a contract of carriage

12:00-12:30 **Who is the legal carrier under the bill of lading:**

- owners' and charterers' bills
- the merits of each type.

12:30-13:30 *Lunch*

13:30-14:30 **The bill of lading as a contract of carriage:**

- the nature of the contract
- types of bills of lading
- incorporation clauses
- Which is the governing contract - the charter or the bill?

14:30-15:30 **The importance of international regulation:**

- the impact of the Hague, Hague-Visby and Hamburg Rules
- the duties and rights of the carrier
- package limitations
- time limits
- the importance of Paramount Clauses
- the impact of the Rotterdam Rules.

15:30-16:00 *Coffee*

16:00-17:00 **Case study 1**

Day 2

09:00-10:00 **The protection of third parties**

- claims in tort
- Himalaya clauses
- circular indemnity clauses
- bailment on terms.

10:00-10:30 *Coffee*

10:30-11:30 **The problems caused by negotiating bills of lading:**

- Who has the right to sue the carrier?
 - Who is liable to the carrier for damage to the ship?
- order bills, straight bills, seaway bills.

11:30-12:30 **The bill of lading as a document of title:**

- the rule as to delivery of cargo
- the danger of mis-delivery
- delays to the ship
- Letters of Indemnity alternative documents.

12:30-13:30 *Lunch*

13:30-14:30 **Letters of Indemnity:**

- when used?
- when enforceable?
- P&I position
- practical guidelines.

14:30-15:15 **Switch bills of lading**

15:15-15:45 *Coffee*

15:45-17:00 **Case study 2**

Speakers



Stephen Mackin

Stephen is a partner at Clyde & Co. He specialises in shipping and energy related issues, particularly those arising from the carriage of oil, gas and LNG by sea involving charter parties and bills of lading. His areas of expertise are oil, gas and LNG tanker related issues including disputes arising from oil shortage, cargo contamination, unsafe port/berth disputes and market loss claims.

He works for a wide entirely international client base of shipowners, charterers, insurers and cargo owners. Stephen has a first class B.Sc (Hons) Degree in Maritime Studies and before qualifying as a solicitor, he was a navigating officer with Shell Tankers (UK) Limited. Stephen has practical experience of the operation of VLCC's, Product Tankers, LNG Tankers and Bulk carriers. Stephen is an experienced BIMCO trainer.



Sophie Pollard

Sophie is Legal Director at Clyde & Co. She advises on a wide range of contentious shipping matters, disputes arising out of charter parties, bills of lading, ship building contracts, and contracts of affreightment. She also has experience advising on general average and salvage following marine incidents.

Sophie acts for P&I Clubs, shipowners and charterers, as well as cargo owners. She regularly advises clients in LMAA Arbitrations and High Court proceedings. Her cases are often multi-jurisdictional aspects, which involve working closely with foreign lawyers in matters such as enforcement.

Sophie also has experience in advising clients in respect of non-contentious matters, such as ship sale and purchase, ship management and supply time contracts.

Prior to joining Clyde & Co, Sophie worked for another leading international law firm in their Shipping and International Trade team.

Venue

The Tower Hotel

St Katharine's Way
E1W 1LD London, UK

<https://www.guoman.com/the-tower>

Organiser



Dorte Bisgaard

Dorte joined BIMCO in 2021 as manager in Support & Advice and is responsible for advising and guiding members on contractual issues and disputes.

Dorte started her career as a shipping trainee in 1995 with a Danish shipowner where she gained experience in operations.

For eight years, Dorte worked in chartering and operations for bulk and dry cargo with ship owners and operators in London, Asia and Vancouver before returning to Copenhagen.

Dorte has also worked for a large Danish energy company where she was involved with procurement of biomass (wood pellets) from overseas markets. In 2000, Dorte qualified as a member of the Institute of Chartered Shipbrokers in London.



For more information, please contact:

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