

# CARRIAGE CONTRACTS, LIABILITIES & CARGO CLAIMS

23 NOVEMBER – 4 DECEMBER 2020



The **Carriage Contracts, Liabilities and Cargo Claims** 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 60-90 minutes.

**Starting time:**

08:00 Montréal/New York (EDT)  
 13:00 London (GMT)  
 14:00 Copenhagen (CET)  
 15:00 Athens (EET)  
 17:00 Dubai (GST)  
 21:00 Hong Kong/Singapore (HKT/SGT)

Session	Date	Topic	Speaker
<b>Session 1</b> (60 minutes)	Monday 23 November 2020	<b>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?</b>	Richard Williams
<b>Session 2</b> (60 minutes)	Tuesday 24 November 2020	<b>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</b>	Richard Williams
<b>Session 3</b> (60 minutes)	Wednesday 25 November 2020	<b>Who has the right to sue the carrier and who is liable to the carrier? The problems caused by transferring the Bills of Lading</b>	Richard Williams
<b>Session 4</b> (60 minutes)	Thursday 26 November 2020	<b>Protection of third parties- contractual methods employed to protect subcontractors</b>	Baris Soyer
<b>Session 5</b> (75 minutes)	Friday 27 November 2020	<b>Introduction to the international conventions for the carriage of cargo by sea: Hague Rules, Hague-Visby Rules, Hamburg Rules, Rotterdam Rules</b>	Baris Soyer
<b>Session 6</b> (60 minutes)	Monday 30 November 2020	<b>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? The contractual obligations of the carrier regarding due care for the cargo under a contract of carriage under the Hague-Visby Rules</b>	Baris Soyer
<b>Session 7</b> (90 minutes)	Tuesday 1 December 2020	<b>The carriers' defences: exclusions from liability; in what circumstances can the carrier rely on them? Limitation of liability and time limits</b>	Richard Williams
<b>Session 8</b> (60 minutes)	Wednesday 2 December 2020	<b>Dangerous cargoes: What is "dangerous"? The shippers' duty and the carrier's rights. Who is liable for the shipment of dangerous goods?</b>	Richard Williams
<b>Session 9</b> (60 minutes)	Thursday 3 December 2020	<b>Jurisdiction and security requirements: court or arbitration? Arrest procedures and threshold jurisdiction; stay of proceedings</b>	Baris Soyer
<b>Session 10</b> (75 minutes)	Friday 4 December 2020	<b>Cargo Claims and Insurance</b>	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](http://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.

## Facilitator:



### **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).