



AGENCY
BILLS OF LADING
LAYTIME, DRY CARGO
LAYTIME, TANKER
PROJECT & HEAVYLIFT
SALE & PURCHASE
TIME CHARTER
VOYAGE CHARTER



BIMCO EDUCATION

TIME CHARTER



Co-organized by:



Jointly
organised by

MIC



香港航運發展局

Hong Kong
Maritime Industry Council

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HONG KONG
24-26 November 2014



MONDAY, 24 NOVEMBER

- 08:30 - 09:00** **Registration / Coffee**
- 09:00 - 09:20** **Opening Remarks and Introduction to BIMCO**
Wayne Zhuang, Asia Liason Officer, BIMCO
- 09:20 - 09:30** **Introduction to Participants and Workshops**
- Fundamental Issues**
- 09:30 - 10:15** **The Inter-relationship Between Contracts**
- 10:15 - 11:00** **Time Charter Duration**
- For how long can the charterer use the vessel?
 - What is an illegitimate last voyage?
 - Who bears the risk of delay?
 - The effect of "last voyage" and "without guarantee" clauses
- 11:00 - 11:30** **Coffee**
- 11:30 - 12:30** **The Payment of Hire**
- When is hire due?
 - What deductions are allowed?
 - The importance of paying hire in full and in advance
 - The right to withdraw the ship from the charterer's service
- 12:30 - 13:00** **Off-Hire Clauses**
- General principles
 - The difference between "period" and "time lost"
 - The effect of specific provisions
 - The effect of adding "whatsoever"
- 13:00 - 14:00** **Lunch**
- 14:00 - 14:30** **Off-Hire Clauses (cont.)**
- 14:30 - 15:00** **Performance Claims**
- 15:00 - 15:30** **Coffee**
- The Charterers' Duties**
- 15:30 - 16:00** **The Operational Costs for Which the Charterers are Responsible**
- For which charter operations and expenses is the charterer responsible?
 - The differences between a voyage charter and a time charter in relation to such responsibility
- 16:00 - 17:00** **The Loading, Stowage, Discharge etc. of the Cargo**
- Who is responsible for these operations?
 - The effect of amended clauses
 - The effect of the NYPE Inter-Club Agreement
- 17:00 - 18:00** **Reception**



TUESDAY, 25 NOVEMBER

- 08:30 - 09:00** **Informal Q&A Session**
- 09:00 - 10:00** **The Duty to Order the Ship to Trade Between Safe Ports**
- What is a safe port?
 - When is a port to be safe?
 - What is the charterer's obligation if a safe port becomes unsafe?
- 10:00 - 11:00** **The Duty not to Ship Dangerous Goods**
- What is "dangerous"?
 - What is the nature of the duty?
 - Is the charterer entitled to limit its liability?
- 11:00 - 11:30** **Coffee**
- The Shipowners' Duties**
- 11:30 - 12:30** **The Duty to Provide a Seaworthy Ship and to Care for the Cargo**
- What is unseaworthiness?
 - The nature of the shipowner's duty
 - The effect of the Hague/Hague-Visby Rules on these duties
- 12:30 - 13:00** **The Duty to Comply with Legitimate Employment Orders**
- 13:00 - 14:00** **Lunch**
- 14:00 - 14:30** **The Duty to Comply with Legitimate Employment Orders (cont.)**
- 14:30 - 15:30** **The Duty to Provide Bills of Lading**
- The importance to the charterer of obtaining bills of lading
 - The effect of bills of lading which impose greater liability than that imposed by the time charter
 - Who has the right to determine the form of the bill of lading?
 - Time charter employment orders which are in conflict with the bill of lading
- 15:30 - 16:00** **Coffee**
- 16:00 - 17:30** **Case Study No 1**



WEDNESDAY, 26 NOVEMBER

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

Other Relevant Issues

09:00 - 09:30 **Frustration of Time Charter Parties**

- What is "frustration"?
- What is the effect of frustration?
- Examples of frustration

09:30 - 10:30 **The Paramount Clauses**

- The importance of the Paramount clause
- The different types of Paramount clauses
- The importance of checking whether it is the Hague or Hague-Visby Rules which are incorporated

10:30 - 11:00 **Liens**

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

11:30 - 12:00 **Liens (cont.)**

12:00 - 13:00 **Letters of Indemnity**

13:00 - 14:00 **Lunch**

14:00 - 15:45 **Case Study No 2**

15:45 - 16:00 **Coffee**

16:00 - 17:00 **Assessment**



SPEAKERS



Andrew Rigden-Green

Andrew is a partner in the Marine & International Trade group of Stephenson Harwood Hong Kong. He is a solicitor qualified in both England & Wales (2003) and Hong Kong (2014). Andrew practiced in the Marine & International Trade group of Stephenson Harwood LLP in London from 2003 until he relocated to Hong Kong in 2012. He is a specialist in maritime law advising and representing clients regularly in relation to bareboat, time and voyage charterparties, contracts of affreightment, ship-building and offshore construction contracts, commodities and marine insurance. He represents a wide range of clients including ship-owners, charterers, bill of lading holders, P&I clubs and H&M insurers. He is experienced in non-contentious work as well as dispute resolution (mediation, arbitration (including LMAA) and court litigation (England and Hong Kong)).

Andrew regularly speaks at different events including the BIMCO Voyage Charters Master Class.



Philip Yang

Philip Yang has been a full-time arbitrator for well over 20 years, mainly in international trade, shipping and commercial disputes. He has published/issued over 500 arbitration awards as a sole or co-arbitrator. He is also a professor teaching arbitration law and practice in the City University of Hong Kong and the Programme Leader of the LLM in Arbitration. Mr. Yang is deputy chairman of the Documentary Committee, Baltic and International Maritime Council (BIMCO), Denmark, the Honorary Chairman and Council Member of The Hong Kong International Arbitration Centre (HKIAC), the Past President of the Asia-Pacific Regional Arbitration Group (APRAG). Besides, he has published many books and a lot of articles on international trade, shipping and arbitration related topics/matters.

ORGANISER



Wayne Zhuang

Wei Zhuang is the China Liaison Officer at BIMCO as well as the General Manager of BIMCO Shanghai Centre. Wei started his BIMCO career with the legal & contractual affairs department where he joined a wide range of BIMCO's standard contracts and clauses projects, including project development, revision and promotion. His current role is focusing on BIMCO Shanghai Centre, where he is committed to keeping a constructive relationship with regional regulators and industry stakeholders and, most importantly, to provide BIMCO services to BIMCO members and potential members in the greater China region.

Wei's previous positions include eight years as a maritime lawyer and Senior Fellow at University. He has a master's degree in maritime law and a PhD in international law.



B I M C O
MASTERCLASS
WORKSHOPS

TIME CHARTER
24-26 NOVEMBER 2014

VENUE



Harbour Grand Hong Kong

Salon Room III
23 Oil Street, North Point, Hong Kong
(MTR Fortress Hill Station, Exit A)

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REGISTRATION

FEE

	BIMCO Members, Members of Hong Kong Shipowners Association and staff from companies based in Hong Kong or China:	Non-Members
Course Fee:	EUR 990	EUR 1350

Free of VAT: EU 6th VAT Directive, reverse charges apply. Private persons registering without the support of a VAT registered company, please contact: bimcocourses@ics.dk

The fee includes coffee breaks, lunches and course materials. The fee does not include accommodation. Accommodation should be arranged separately by the participant directly with the hotel.

TO SIGN UP

To sign up, please use the On-Line Registration, which can be found on our website at www.bimco.org - at top click EDUCATION - Courses.

As the number of participants may be limited, please register as soon as possible. Registration will be handled on a strictly first come, first served basis.

Once you have registered, a confirmation e-mail will be sent to the e-mail address provided during registration. Please note that you will only be considered officially registered once your Registration and Payment have been received.

PAYMENT

All payments and registrations are handled by our conference organiser, ICS A/S Copenhagen. Their details can be found in the confirmation e-mail sent to you after registration. Another confirmation e-mail will be sent when they have received your payment. Questions about registration or payment can be directed to bimcocourses@ics.dk, Tel: +45 3946 0500, Fax: +45 3946 0515.

Payment is to be received LATEST ONE WEEK after registration, failing which the registration will be null and void. If you have registered into a waiting list, payment must be effected within one day after an available seat has been offered to you, failing which the seat will be offered to the next person on the waiting list.

SUBSTITUTION

Substitution can be made free of charge until one week before the course begins.

CANCELLATION

Cancellation on or before Monday, 10 November 2014 (2 weeks before the course begins) entitles you to a 50% refund of the course fee. Cancellations after this date are not subject to refunds.

BIMCO Informatique A/S reserves the right to update the course programme and/or cancel the course in case of insufficient advance registration.

VISA INVITATION LETTERS

Should you require an invitation letter from BIMCO to support your visa application, please note that such a letter can only be issued when receipt of payment has been confirmed.

COURSE MATERIAL

BIMCO has implemented electronic course files to replace the paper files we have used for many years. The electronic format is an Adobe PDF file enabling you to make personal notes using a computer or tablet.

You will therefore need to bring a computer or tablet to the course!

All documentation and presentations will be in English.

QUESTIONS

Questions about registration or payments can be directed to bimcocourses@ics.dk
Questions about the course should be directed to education@bimco.org



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Dry Cargo Laytime • Tanker Laytime
Bills of Lading • Time Charter • Voyage Charter
Sale & Purchase • Agency • Project & HeavyLift

The BIMCO Masterclass Workshop series consists of seven modular workshops focusing on key aspects of maritime commerce. The workshops will provide participants with a thorough grounding in the principles and pitfalls of each core subject. The workshops are designed for participants who already have some shipping experience and who wish to broaden their knowledge of a particular topic within the shipping industry. As such, the workshops are well suited to the development of existing and future decision makers who require a solid grounding in the mechanics of modern commercial practice.

Each workshop in the series consists of three days of presentations by the finest experts, combined with group discussions and case studies. Participants are expected and will be encouraged to contribute actively to both the group discussions and case studies. At the end of each workshop, participants may take an open book exam to assess their level of understanding of the subject matter. This assessment, which is assessed and marked by the course presenters and leads to the award of a BIMCO diploma, will be of value to employers and employees alike in demonstrating the effectiveness of the training and knowledge attained.

Should you have any questions about the course, please contact:



BIMCO

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