



MASTERCLASS WORKSHOP
VOYAGE CHARTER

London
4-5 November 2019

 **TRAINING**

The BIMCO Training logo is located in the bottom right corner. It features a white square with a vertical gradient, followed by the word "BIMCO" in a small, blue, sans-serif font, and the word "TRAINING" in a large, bold, white, sans-serif font.

Day 1

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

09:00-09:30 **Introduction to participants and workshops**

The framework

09:30-10:00 **Formation and terms of the charter:**

- the binding agreement
- the parties
- "subjects"
- terms
- law governing the contract.

10:00-10:30 **Why do you need a charter anyway?**

- the sale contract and its interaction with chartering
- types of charters – bareboat, time, voyage and CoAs.

10:30-11:00 *Coffee*

11:00-12:00 **Description of the vessel and seaworthiness:**

- qualifications – "about" and "without guarantee"
- contractual consequences of misdescription
- seaworthiness – meaning and extent of obligation.

The four stages (plus one)

12:00-12:30 **The voyage to the loading port:**

- the position of the vessel at the time of fixing
- the obligation to proceed to the loading port
- "expected ready to load"
- ETA and other notices required.

12:30-13:00 **Ports, places and berths:**

- "port", "berth" or "place"
- safe/unsafe port/berth
- cargo operations
- notification of readiness
- allocation of risk and cost of loading, stowage.

13:00-14:00 *Lunch*

14:00-14:30 **The cargo – on board:**

- charterers' obligations and rights
- owners' obligations and rights
- express exceptions clauses
- dangerous cargo
- deck cargo.

14:30-15:00 **Cargo on board:**

- bills of lading, Hague/Hague-Visby Rules
- functions of the bill of lading and its relationship with the voyage charter
- duties in relation to and under the bill of lading.

15:00-15:30 **The carrying voyage:**

- routing, deviation and delay
- voyage to alternative ports.

15:30-16:00 **Discharge and delivery of the cargo:**

- receivers and their rights and obligations
- allocation of risk and cost of discharge.

16:00-17:30 **Case study 1 (including coffee break)**

Day 2

Financial aspects

09:00-09:45 **Freight:**

- definition and calculation
- deadfreight
- method of payment, place and time of payment
- deductions from freight.

09:45-10:30 **Laytime:**

- loading and discharging within the agreed laytime
- defining the period
- valid NOR
- laytime allowed
- calculation of laytime
- exceptions from laytime.

10:30-10:50 *Coffee*

10:50-11:50 **Demurrage and despatch:**

- despatch on "all time saved/laytime saved"
- "once on demurrage always on demurrage"
- damages for detention
- When is demurrage due?
- Who is liable for paying demurrage?
- time bar clauses.

11:50-12:15 **Liens**

- The nature of a maritime lien
- Lien and cesser clauses
- The result of failure to exercise a lien
- Creating a lien
- Practical aspect of exercising a lien

12:15-13:15 *Lunch*

Problem solving and dispute resolution

13:15-14:30 **Problems in the performance of voyage charters:**

- cancellation
- breach of contract by owners
- breach of contract by charterers
- third parties interfering with performance
- letters of indemnity
- damages and recoverability of damages
- frustration
- casualties and general average.

14:30-15:30 **Case study 2 (including coffee break)**

15:30-16:30 **Assessment for all participants:**

The assessment is an open book test, aimed at demonstrating the understanding of the subject of the Masterclass. For the purpose of improving the learning experience, the assessment will test the participant's ability to interpret, think critically and present an organized and well written answer. All papers will be marked and each participant will receive a certificate based on the result.

Trainers



Haris Zografakis

Haris Zografakis is a partner at Stephenson Harwood LLC, London, dealing with all aspects of shipping and international trade law, acting both for traders and shipowners, as well as their respective insurers. He has lectured in four continents, including events organised by BIMCO, universities, as well as the International Maritime Organization and others, and has also been on the editorial board of the Shipping and Transport Law Journal. He is singled out by both main legal directories, Chambers and Legal 500, as a leading individual in his areas of expertise.



Cristan Evans

Cristan Evans is a partner at Stephenson Harwood LLP and specialises in the resolution of shipping and trade disputes. He provides practical, commercial advice with the aim of resolving the most complex disputes in an efficient and cost-effective manner.

Cristan acts for shipowners, charterers, cargo interests and their insurers in disputes arising under charterparties, bills of lading and contracts of affreightment. He has acted in Court proceedings and in arbitrations conducted under the LMAA, UNCITRAL, LCIA, FOSFA and GAFTA rules.

An experienced commodities lawyer, Cristan also acts in sale contract disputes for buyers and sellers involving commodities such as petroleum products, coal, vegetable oils/oil seeds and biofuels.



Mike Phillips

Mike is a partner and head of Stephenson Harwood's marine and international trade practice. He specialises in shipping, carriage of goods, contentious ship finance disputes and ship and offshore vessel construction. Mike's clients include banks, shipowners, traders and P&I clubs/insurers.

Acting for some of the world's largest and most well-known shipowners, he has experience of dealing with a wide range of matters from cargo claims and off-hire disputes to groundings and vessel fires. On the contentious ship finance side, Mike represents leading ship finance banks in a wide array of disputes arising from both pre and post-delivery finance.

Venue

UK Chamber of Shipping

30 Park Street
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<https://www.ukchamberofshipping.com/>

Organiser



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).



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