



MASTERCLASS WORKSHOP

# SHIP MANAGEMENT

SHIPMAN, CREWMAN & REPAIRCON

Supported by:



CYPRUS SHIPPING CHAMBER  
Navigates Cyprus Worldwide

**Limassol**  
28-29 September 2020

 **BIMCO TRAINING**

## Day 1

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

09:00-10:30 **Why English law:**

- contract/no contract
- privity and third parties
- terms
- breach
- termination
- damages
- tort
- agency.

10:30-10:45 *Break*

10:45-11:45 **The ship management contract within the contractual structure of international trade:**

- charter parties and bills of lading
- sale contracts and letters of credit
- insurance policies and clubs
- the role of a ship manager set against a shipowner's obligations within the wider structure of international trade.

11:45-12:30 **Ship management as an agency contract:**

- definitions
- commencement and appointment
- authority of the managers
- third parties.

12:30-13:30 *Lunch*

13:30-15:00 **SHIPMAN – walkthrough of SHIPMAN 2009:**

Interactive walkthrough session on SHIPMAN, which aims to identify (but not necessarily correct) problems or inconsistencies in the contract experienced by the trainers and users. The session will be jointly conducted by the trainers, who will encourage the participants to voice their opinions and experiences working with particular aspects of the contract.

Potential agenda (not all agenda items will be covered in detail, but only where there are complications flagged by the trainers or participants):

- managers' obligations
- owners' obligations
- crew managers' obligations
- introduction to insurance policies
- income collected and expenses paid on behalf of owners
- management fee and expenses
- budgets and management of funds
- crew management fee and expenses
- trading restrictions
- replacement
- managers' right to sub-contract
- responsibilities
- general administration
- inspection of vessel
- compliance with law and regulations
- duration of the agreement
- termination
- notices
- entire agreement
- third party rights
- partial validity.

15:00-15:30 *Break*

15:30-17:00 **Case study 1**

## Day 2

08:30-09:00 *Coffee/tea*

09:00-10:00 **CREWMAN – walkthrough of CREWMAN 2009 A & B:**

Interactive walkthrough session on CREWMAN, which aims to identify (but not necessarily correct) problems or inconsistencies in the contract experienced by the trainers and users. The session will be jointly conducted by the trainers, who will encourage the participants to voice their opinions and experiences working with particular aspects of the contract.

Potential agenda (not all agenda items will be covered in detail, but only where there are complications flagged by the trainers or participants):

- definitions
- appointment of crew managers
- basis of agreement
- crew insurance arrangements
- crew managers' obligations
- owners' obligations
- crew management fee
- budgets and management of funds
- trading restrictions
- replacement
- crew managers' right to sub-contract
- responsibilities
- documentation
- general administration
- auditing
- compliance with laws and regulations
- duration of the agreement
- termination
- law and arbitration
- notices.

10:00-10:30 **SUPERMAN - Standard Agreement for the Supervision of Vessel Construction:**

SUPERMAN clearly sets out a ship managers' duties and obligations when providing supervision services to a newbuilding project. It is an agency-based agreement whereby the supervisors act for and on behalf of the owners. SUPERMAN is modelled on SHIPMAN 2009 and includes the same structure of liability provisions. Payment is on a "cost plus fee" basis. The latest edition of this contract is SUPERMAN, issued in 2016.

Interactive walkthrough session on SUPERMAN, which aims to identify (but not necessarily correct) problems or inconsistencies in the contract experienced by the trainers and users. The session will be jointly conducted by the trainers, who will encourage the participants to voice their opinions and experiences working with particular aspects of the contract.

Potential agenda (not all agenda items will be covered in detail, but only where there are complications flagged by the trainers or participants):

- Section 1 – Basis of the Agreement
- Section 2 – Scope of Services
- Section 3 – Obligations
- Section 4 – Fees, Expenses and Budgets
- Section 5 – Legal, General and Duration of Agreement

10:30-10:45 *Break*

## Day 2 *(continued)*

### 10:45-11:15 REPAIRCON 2018:

Interactive walkthrough session on REPAIRCON, which aims to identify (but not necessarily correct) problems or inconsistencies in the contract experienced by the trainers and users. The session will be jointly conducted by the trainers, who will encourage the participants to voice their opinions and experiences working with particular aspects of the contract.

Potential agenda (not all agenda items will be covered in detail, but only where there are complications flagged by the trainers or participants).

### 11:15-12:00 DEMOLISHCON and RECYCLECON:

Interactive walkthrough session on DEMOLISHCON and RECYCLECON, which aims to identify (but not necessarily correct) problems or inconsistencies in the contract experienced by the trainers and users. The session will be jointly conducted by the trainers, who will encourage the participants to voice their opinions and experiences working with particular aspects of the contract.

Potential agenda. (Not all agenda items will be covered in detail, but only where there are complications flagged by the trainers or participants):

- Part I Box Layout
- Part II Terms and Conditions

### 12:00-12:45 Lunch

### 12:45-14:15 Case study 2

### 14:15-14:30 Break

### 14:30-15:30 Dispute resolution in the context of ship management

- forum
- jurisdiction
- security
- arbitration procedure
- mediation.

### 15:30-16:30 Final assessment:

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.

## Speakers



### Haris Zografakis

Haris Zografakis is a partner at Stephenson Harwood, London and heads the firm's commodities practice. Over the course of twenty five years he has dealt with all aspects of shipping and international maritime trade. 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 has described him as a "solid and tenacious litigator" (Chambers UK 2007) and "a supreme tactician" (Chambers UK 2020), while he was inducted by Legal 500 to the 2018 Legal 500 Hall of fame as a result of his continued recognition by the directory. Haris has done Training with BIMCO since 2003 and is known with our participants for his practical and straight forward teaching style.



### Mike Phillips

Mike is a partner in 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.

Described by The Legal 500 UK in 2019 as "Outstanding", Mike acts 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. Mike has done Training with BIMCO since 2015 and is known with our audience for making issues, which are legally and commercially complicated, workable.

## Venue

### Columbia Plaza

223, Ayiou Andreou Str.  
Limassol, Cyprus

Website: [www.columbiaplaza.com](http://www.columbiaplaza.com)

## Organiser



### Elena Tassioula

Elena is General Manager of BIMCO for Greece and Cyprus based in Athens. She is also responsible for the execution of BIMCO training and seminars in Greece and Cyprus. Prior to joining BIMCO she worked for a shipowner in Singapore and Athens and before that in the energy sector. She has wide international commercial and managerial experience, a degree in International Marketing and Strategy and speaks 6 languages. Elena is a member of WISTA.



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