

# OFFSHORE, PROJECT & HEAVYLIFT

The **Offshore, Project & Heavylift Masterclass Online** is a series of 10 sessions each lasting 60-90 minutes. The masterclass provides an integrated understanding of the contractual complexities involved in the multi-model transportation of super-size cargoes and the management of commercial and contractual risks and liabilities.

**Starting hours (for all sessions):**

09:00 London (GMT)  
 10:00 Copenhagen (CET)  
 11:00 Athens (EET)  
 13:00 Dubai (GST)  
 17:00 Hong Kong/Singapore (HKT/SGT)  
 18:00 Tokyo (JST)  
 20:00 Sydney (AEDT)

Session	Date	Topic	Speaker
<b>Session 1</b> (60 minutes)	<i>Monday</i> <i>21 June</i> <i>2021</i>	<b>Overview of the most used contracts in the offshore and heavy lift sector:</b> HEAVYCON 2007 & HEAVYLIFTVOY. SUPPLYTIME 2005/2017 WINDTIME TOWCON 2008 / TOWHIRE 2008 PROJECTCON BARGEHIRE 2008. It will set the scene for the following sessions and outline the use of these contracts across the maritime industry, often in combination.	<b>Tony Concagh</b>
<b>Session 2</b> (60 minutes)	<i>Tuesday</i> <i>22 June</i> <i>2021</i>	<b>Principles of English contract law and their relevance to project and heavylift contracts:</b> dispute resolution, clauses, principles of interpretation, breach of contract, repudiation, damages, force majeure and frustration, express termination rights.	<b>Tony Concagh</b>
<b>Session 3</b> (60 minutes)	<i>Wednesday</i> <i>23 June</i> <i>2021</i>	<b>Knock-for-knock and general issues of insurance including P&amp;I cover:</b> One of the main differences between the forms is the applicable liability regime and whether the form incorporates a knock-for-knock regime or the Hague/Hague-Visby Rules. This session will highlight and explain, in practical terms, the differences.	<b>Alistair Loweth</b>
<b>Session 4</b> (60 minutes)	<i>Thursday</i> <i>24 June</i> <i>2021</i>	<b>Dealing with disputes:</b> correspondence and reservations; disclosure of internal correspondence in English court and arbitration hearings; dispute resolution venues; practical examples and hints and tips.	<b>Nicholas Kazaz</b>
<b>Session 5</b> (90 minutes)	<i>Friday</i> <i>25 June</i> <i>2021</i>	<b>Introduction to SUPPLYTIME 2005/2017:</b> SUPPLYTIME has been in use since 1975 as a time charter form tailored to supply vessels and anchor handlers. Over the years, SUPPLYTIME has been amended, improved, and developed in tune with industry practices and are often used for various purposes, in addition to its initial intended role as an OVS/AHTS contract	<b>Ian Perrott</b>
<b>Session 6</b> (60 minutes)	<i>Monday</i> <i>28 June</i> <i>2021</i>	<b>Using SUPPLYTIME for other types of business than OVS/AHTS.</b> The SUPPLYTIME form currently has two optional annexes Annex A (which deals with Vessel Specifications) and Annex B (which deals with insurance). The new optional annexes allow users to make amendments appropriate to their individual projects: (Annex C) Helicopter and Helideck Operations (Annex D) Extended Offshore Operations (Annex E) Crew Qualifications (Annex F) Walk to Work	<b>Ian Perrott</b>

<p><b>Session 7</b> (90 minutes)</p>	<p><i>Tuesday</i> <b>29 June</b> <b>2021</b></p>	<p><b>Introduction to HEAVYCON 2008.</b> The HEAVYCON voyage charter party is a standard transportation contract for heavy and voluminous cargoes. It is a “knock for knock” contract designed primarily for the semi-submersible vessels serving the super heavy lift market where cargoes are almost exclusively carried on deck and are, in most cases, sole cargoes. A standard bill of lading, HEAVYCONBILL, is intended to be used with it. The latest edition of this contract is HEAVYCON 2007.</p>	<p><b>Tony Concagh</b></p>
<p><b>Session 8</b> (90 minutes)</p>	<p><i>Wednesday</i> <b>30 June</b> <b>2021</b></p>	<p><b>Introduction HEAVYLIFTVOY 2009.</b> HEAVYLIFTVOY is a comprehensive contract providing for free-in or liner in-hook terms for loading and free-out or liner out-hook terms for discharging. HEAVYLIFTVOY operates under the conventional cargo liability regime of the Hague-Visby Rules and is designed for the carriage of multiple shipments both above and below deck. A standard bill of lading, HEAVYLIFTVOYBILL, is intended to be used with it. The latest edition of this contract is HEAVYLIFTVOY, issued in 2009</p>	<p><b>Tony Concagh</b></p>
<p><b>Session 9</b> (90 minutes)</p>	<p><i>Thursday</i> <b>01 July 2021</b></p>	<p><b>Ocean/Deep Sea Towage contracts – a practical guide.</b> Overview of standard towage conditions: e.g. UK Standard Towage Conditions, Eastern Canada Standard Towage Conditions, Scandinavian Tugowners' Standard Conditions. Are they owner friendly? The work behind creating more balanced standard towage forms: ISU/ European Tugowners' Association and BIMCO Update on the work of updating TOWCON/TOWHIRE and associated forms Walkthrough of TOWCON and TOWHIRE, analysing and comparing the forms and common clauses.</p>	<p><b>Simon Tatham</b></p>
<p><b>Session 10</b> (60 minutes)</p>	<p><i>Friday</i> <b>02 July 2021</b></p>	<p><b>Case study and Q&amp;A, bringing it all together.</b> Based on a case study distributed in advance, the trainers will discuss and share knowledge and advice. The session is interactive and is an opportunity to clarify issues or problems, which has emerged during the previous sessions</p>	<p><b>Ian Perrott</b> <b>Tony Concagh</b> <b>Alistair Loweth</b> <b>Nicholas Kazaz</b> <b>Simon Tatham</b></p>

## Expert trainers:



### **Ian Perrott**

Ian began his shipping career in 1976 as a boarding clerk with G.C. Fox & Co. in Falmouth. In 1979 he joined the Royal Navy as a Seaman Officer. After leaving the RN in 1982 he joined Stewart Offshore Services in Greenwich as an offshore broker and was transferred to their Aberdeen office in 1983 until 1987 when he joined The Maersk Co Ltd's as Assistant Manager for their OSV fleet. In 1990 he moved to Sealion Shipping Ltd as the Chartering Manager for their varied OSV fleet and was appointed to the Board in 2004 becoming the Commercial Director for the company. In 2009, he relocated to Hamburg and joined E.R Offshore GmbH as its Managing Director. Returning to the UK in 2015, he is now an Independent OSV Consultant working with a wide variety of companies and organisations involved in the Marine and Offshore support vessel industry. Ian was the Chairman of the BIMCO-Subcommittee tasked with revising SUPPLYTIME 2005/2017



### **Tony Concagh**

Tony is a partner at Stephenson Harwood LLP. For more than 20 years, Tony Concagh has been a premier legal advisor to the offshore energy industry and has represented many of its best-known companies. At Stephenson Harwood LLP since 2002, he has been described by his clients in legal directories as "tough and commercial", "through and capable" and "a true offshore specialist". He has acted for his clients around the world in many high-profile disputes (both in the English High Court and in commercial arbitrations) including a \$500 million drilling rig dispute, which was the largest ever LMAA arbitration by value. He regularly advises on problems and disputes relating to specialist vessels including OSVs, SSVs, DSVs and CSVs, HLVs, and drilling units. As a result, he has unmatched experience with the BIMCO suit of offshore forms. In 2019, he represented the successful owners in the first reported case on SUPPLYTIME 2017, Atlantic Marine and Aviation LLP vs Boskalis Offshore. This established the basis on which an owner has the immediate right to payment of an undisputed invoice without set off. The decision has implications for payment terms in all forms of contracts on English law. In recent years he has been instrumental in the development of handling disputes in the offshore renewables industry. Most recently he and his team advised on schedule delays and cost increases on a £2.3 billion wind farm project. In 2017 he launched a successful judicial review in the English High Court on behalf of an EPIC contractor against the UK government's work permitting policy for non-EEA specialist crew constructing wind farms in UK waters. He has been invited to speak by BIMCO at workshops and presentations worldwide since 2008.

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## Alistair Loweth

Alistair is a Senior Associate at HFW. He advises clients on a wide range of marine, commercial, and international matters in the offshore and energy sectors. He has extensive practical experience of both transactional and contentious work including more than 5 years working in-house for a global oilfield service company. Alistair's work comprises advising on regulatory issues, day-to-day operational matters, contracts (including charters, offshore service contracts, drilling contracts, shipyard agreements, ship agency agreements, equipment leases, product sales and license arrangements), bespoke complex projects and restructurings, disputes and crisis response.



## Nicholas Kazaz

Nicholas is a Senior Associate at HFW, where he focuses on international commercial dispute resolution, specialising in offshore oil & gas, energy, and marine. He focuses on disputes arising from installation contracts, charter parties, bills of lading, shipbuilding, rig disputes, towage, collisions, salvage, general average, groundings, total loss, and limitation. Clients he advises include energy companies, cable owners and operators, contractors, shipowners, charterers, shipyards, ship managers, brokers, and insurers / P&I Clubs. His experience extends to all the major arbitral institutions including LCIA, ICC, SIAC, SCMA, LMAA, ad hoc arbitration, and the English courts. Nicholas has experience of drafting and negotiating a range of contracts in the offshore energy and marine sectors, including BIMCO SUPPLYTIME, TOWCON and BARGEHIRE, LOGIC contracts, and other standard contracts, as well as bespoke contracts. Since joining HFW, Nicholas has undertaken secondments in Australia (to HFW's Perth Office with a focus on the Offshore / Oil & Gas / Commodities sectors), to the in-house legal team of a major international tanker owner, to an International Group P&I Club / Insurer, and a leading insurance broker. Nicholas is qualified in England and Wales.



## Simon Tatham

Simon is senior partner of Tatham & Co, a specialist shipping law firm based in the City of London. A particular focus of his practice relates to casualty work, otherwise known as Admiralty or "wet" law, typically handling incidents arising from salvage, collision, strandings, engine breakdowns and fires along with the related insurance and contractual issues that arise. He advises towage, salvage, wreck removal, heavy lift, barge and OSV operators, as well as their insurers and hirers, on contract selection, negotiation, and disputes. The firm also provides an in house – out house dedicated legal service for tug & towage, barge and OSV contractors worldwide: TugAdvise.com. Simon speaks at many industry events and is a frequent commentator on the practical side of legal developments in trade periodicals including International Tug&OSV. Simon and his team of specialists, including a former Lloyd's Arbitrator QC, Master Mariner and former in-house counsel of a leading international tug and salvage company have recently advised on the salvage of a vessel with a value of \$1billion, treasure salvage with a value in the order of several \$billion and concluded High Court litigation concerning the capsizing of a tug with all hands lost off Africa.

**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).