BIMCO TRAINING

BIMCO



MASTERCLASS

VOYAGE CHARTERS

Athens

14-15 April 2027



MASTERCLASS
VOYAGE CHARTERS

BIMCO TRAINING

PROGRAMME

DAY 1

09:00-09:30
Introduction to the documentary work of BIMCO:
- Drafting BIMCO standard contracts and clauses
- Working with subcommittees to draft new contracts and clauses
- BIMCO Explanatory Notes as a tool for guidance in understanding the thinking behind the contracts.

The framework

In this section, we will explore key aspects of voyage chartering. We will begin with an overview of recent developments, including updates to GENCON 2022 and the ETS emission scheme clauses. We will then explore the application of US and Canadian law in voyage chartering, examining differences in legal frameworks, contract interpretation, and arbitration procedures.

09:30-10:00

Overview and developments in voyage chartering:
- Introduction to GENCON 2022 and how the new forms differ from previous versions.

The responsibilities of the parties

In voyage chartering, the carrier (shipowner) ensures vessel seaworthiness and readiness to accept cargo. The charterer must provide full, clean, and sound cargo, ensuring safe loading, transportation, and discharge. Effective collaboration between parties is vital for seamless vessel operations and cargo delivery. Still, it may also lead to a wide range of disputes, which will also be addressed in the case study.

10:00-11:00

Disputes and obligations: The shipowner's duties:
- The shipowner's obligation to provide a seaworthy vessel fit for the intended voyage, including considerations of structural integrity, equipment functionality, and crew competency
- The shipowner's responsibility to safely handling and storing cargo throughout the voyage, ensuring proper care to prevent damage or loss
- The requirement for the shipowner to proceed with reasonable dispatch and balancing efficiency with safety and contractual obligations
- Cancellation Clauses and how the contractual provision allows for the shipowner to cancel the contract under specific circumstances, and the implications for both parties
- The concept of deviation from the agreed route or schedule and the legal and commercial consequences for the shipowner
- Slow Steaming Clauses: contractual clauses permitting shipowners to operate vessels at reduced speeds and their impact on voyage duration, fuel consumption, and contractual performance. (This topic will be expanded further in the session on EU ETS clauses on day 2).

11:00-11:15	*Break*

11:15-12:15

Disputes and obligations: The charterer's duties:
- Full and complete clean and sound cargoes: Ensuring the cargo is entirely free from contaminants, properly packaged, and in optimal condition for transportation
- Payments of freight/deadfreight: Meeting financial obligations by promptly paying freight charges or compensating for any deadfreight incurred
- Port nominations: Selecting and communicating designated loading and discharging ports in accordance with contractual terms and operational feasibility
- Providing port restrictions information: Furnishing comprehensive details regarding port limitations, such as draft and air draft restrictions at both loading and discharging ports, before fixing.

12:15-13:15	*Lunch*

13:15-14:00

Case study on the duties of the owner and the charterer



MASTERCLASS
VOYAGE CHARTERS

BIMCO TRAINING

PROGRAMME

DAY 1 *(continued)*

Bills of Lading

In this session, we will explore the intricacies of bills of lading (B/L's). We will cover their various forms, incorporation of charter clauses, and their role as receipts and documents of title, including transfer of rights and obligations.

14:00-14:45

The nature of B/L's (I):

- Differentiating between long- and short-form bills of lading and understanding their respective formats and functions in cargo documentation
- Methods of integrating charter party terms into bills of lading and their impact on contractual obligations
- The characteristics and usage of multimodal bills and sea waybills in modern shipping practices
- The purpose and process of issuing delivery orders and their role in facilitating cargo release at destination
- The bill of lading as a receipt for cargo, including considerations of apparent order and condition and issues related to quantity, weight and date.

14:45-15:30

The nature of B/L's (II):

- The transfer of rights and obligations between holders of the bill of lading
- The bill of lading as a document of title – the advantages AND disadvantages and how this applies when using eBLs
- Obligation of the carrier to deliver cargo against surrender of the bill of lading.

15:30-15:45	*Break*

15:45-17:00

Case study on bills of lading disputes

DAY 2

Financial Aspects

As the shipping industry embraces decarbonisation efforts, understanding the implications for voyage chartering is paramount. This session explores the practical application and impact of various Emission Trading Scheme (ETS) Clauses for Voyage Charter Parties in 2023. These changes can impact laytime and demurrage by influencing vessel speeds and operational efficiency, potentially altering the calculation and management of laytime-related costs.

09:00-10:30

Laytime and demurrage:

- The significance of Notice of Readiness and its validity in commencing laytime calculations
- Exploring different forms of laytime, including reversible and fixed laytime, and their implications
- The point at which laytime begins, examining contractual and practical considerations
- Events or actions that pause laytime calculations, such as bad weather or port congestion
- Conditions or events that conclude laytime, including completion of cargo operations or demurrage trigger points
- The concept of demurrage, the calculation methods, and contractual obligations
- The consequences and remedies for exceeding laytime, including potential damages for detention
- Time Bar Clauses and contractual provisions specifying time limits for submitting laytime and demurrage claims and their legal implications.

10:30-10:45	*Break*

10:45-12:45

The impact of decarbonisation on voyage chartering:

- ETS – Emission Scheme Freight Clause for Voyage Charter Parties 2023
- ETS – Emission Scheme Surcharge Clause for Voyage Charter Parties 2023
- ETS – Emission Scheme Transfer of Allowances Clause for Voyage Charter Parties 2023
- How do the clauses work, and which is the one best suited to your specific circumstances?



PROGRAMME

DAY 2 *(continued)*

12:45-13:45	*Lunch*

Problem Solving and Dispute Resolution

13:45-14:45

Problems in the performance of voyage charters:

- The causes and consequences of delays and potential contract terminations, including legal implications and financial repercussions
- Breach of contract by owners and charterers and the corresponding remedies or liabilities
- Third parties interfering with contract performance: The challenges arise from external factors affecting contract execution, such as port strikes or new national/international regulations
- Damages and recoverability of damages: Methods of calculating damages resulting from contract breaches or disruptions and mechanisms for recovering losses
- Understanding legal doctrines like frustration and force majeure, the clauses, and their application in cases of unforeseen events preventing performing the contract
- Implications of vessel accidents or emergencies, including obligations under general average principles and insurance coverage.

14:45-15:00	*Break*

15:00-16:00

Letters of Indemnity (LOI):

- Delivery of cargo without bills: The circumstances under which a letter of indemnity may be issued to allow cargo delivery without presentation of original bills of lading
- Deviation for clean bills: Exploring scenarios where deviation from the agreed route is permitted to obtain clean bills of lading, and the associated risks and legal considerations
- Unavailable bills: Addressing challenges when bills of lading are not available and the use of LOIs as a workaround
- Practical checklist: Providing a comprehensive checklist for drafting and executing letters of indemnity, including key considerations and risk mitigation strategies
- Switch bills of lading: Examining the practice of issuing switch bills of lading and the implications for cargo ownership, contract terms, and legal obligations.

16:00-17:00

Case study on problems in the performance of voyage charters



SPEAKERS



Stephen Mackin

Stephen is a partner at Hill Dickinson in Newcastle, UK. He is a former mariner and now lawyer with experience, both practical and legal of all aspects and issues arising from the carriage of liquid cargoes by sea. He has been described by clients as “the lawyer you want on your right hand side in any dispute”.

Stephen gained practical tanker experience with Shell on; VLCC’s, Shuttle tankers, Clean Product tankers and LNG tankers. As a lawyer his focus and practice centres on the issues that arise from the operation of tankers; shortages, contamination, bills of lading delay and the whole range of charterparty related disputes.

Stephen’s specialisms include liquid cargo related issues, sanctions applicable to the movement of oil and gas, environmental issues and particularly the development of Emissions Trading Schemes, shipmanagement – he is a member of the BIMCO drafting committee on SHIPMAN and its associated third party management agreements.

He has a degree in Maritime Studies (BSc Hons – First), as well as the Common Professional Examination (Distinction) and the Law Society Finals (Honours).



Sophie Pollard

Sophie is a partner at Hill Dickinson in Newcastle, UK. She advises on a wide range of contentious shipping matters, disputes arising out of charterparties, bills of lading, ship building contracts, and contracts of affreightment. She also has experience advising on general average and salvage following marine incidents.

Sophie acts for P&I Clubs, shipowners and charterers, as well as cargo owners. She advises on all aspects of shipping and energy related matters, including those arising from the carriage of oil and gas.

She regularly advises clients in Arbitrations and High Court proceedings. Her cases are often multi-jurisdictional aspects, which involve working closely with foreign lawyers in matters such as enforcement.

She speaks regularly at conferences worldwide on shipping related issues.



ORGANISER



Peter Grube

Peter Grube is Training Manager at BIMCO, where he develops and delivers BIMCO courses and seminars worldwide. As part of a long-term succession plan, he stepped down as Head of BIMCO Training in 2025 and continues to contribute to the team in a part-time role, focusing on programme development and delivery.

Peter joined BIMCO's Support & Advice department in 1990 and later became Marketing & Sales Director for membership and products, driving BIMCO's global position as a leading membership and shipping organisation. Before joining BIMCO, he worked at a shipowning office in Copenhagen and as a Sale & Purchase broker in Greece.

He is a graduate of the Danish School for International Marketing & Export, a Chartered Shipbroker (FICS), and holds a Master's in Education and Learning from Roskilde University (RUC).

VENUE

Where will the course be held?

The course venue will be confirmed approximately 8 weeks before the start of the course so we can find a suitable venue for the number of participants.



For more information, please contact:

Address: Bagsvaerdvej 161, DK-2880 Bagsvaerd, Denmark
Phone: +45 4436 6832
Email: *training@bimco.org*
Web: *www.bimco.org/training*

Come talk to BIMCO:

www.bimco.org/events

Follow us:

LinkedIn
company/bimco

BIMCO