



**BIMCO**

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# TANKER CHARTER PARTY WORKSHOP MASTERCLASS

*The BIMCO Charter Party Workshop Masterclass on tankers is an in-depth, expert-led training on voyage and time charter party contracts. Over two days, we will explore the key obligations of the parties, the disputes often arising, and industry standards focusing on tanker industry charter parties.*

 **TRAINING**

**Singapore**  
23–24 April 2025

## DAY 1

## Voyage charters

During the voyage chartering sessions, we discuss various issues and contracts. Still, the primary focus will be on the similarities and differences between ASBATANKVOY, BPVOY 4 and 5, EXXONMOBILVOY, and SHELLVOY 5 and 6.

09:00–10:30

**The shipowner's duties:**

- To provide a seaworthy vessel
- To properly and carefully care for the cargo
- To proceed with reasonable despatch
- Cancellation clauses
- Deviation
- NOR and laytime and Demurrage disputes.

This session will explore some of the shipowner's fundamental legal and contractual duties. These obligations include providing a seaworthy vessel, ensuring the proper handling of the cargo, and proceeding with reasonable despatch on the sea voyage – and the implications and reasons for contractual and non-contractual deviations. We will also cover important contractual elements, such as cancellation clauses, which provide grounds for contract termination.

10:30–10:45

*Break*

10:45–12:15

**The charterer's duties:**

- Safe cargo issues in the tanker trades. Compliance with safety protocols, cargo loading and discharge procedures
- Payment of freight/deadfreight. The charterer's obligations regarding freight payments,

including the timing, methods, and implication of late payment. The session will also cover deadfreight issues, exploring scenarios where deadfreight charges may apply and the contractual implications

- Port/terminal nominations and the charterer's role. Discussions will include port restrictions, managing berth availability, and negotiating nomination terms in charter party agreements.

This session will examine the legal issues surrounding the charterer's duties in tanker trades. It will begin by addressing the legal obligations related to safe cargo handling, including compliance with safety protocols and the legal implications of improper cargo loading and discharge procedures. The session will also cover the legal aspects of freight payments, focusing on the charterer's obligations regarding the timing and method of payment, the legal consequences of late payments, and the conditions under which deadfreight charges may be applied, along with their contractual ramifications. Lastly, we will explore the legal considerations involved in port and terminal nominations, including issues related to port restrictions, berth availability, and the legal framework for negotiating nomination terms in charter party agreements.

12:15–13:00

*Lunch*

## Time charters

During the time chartering sessions, we discuss a wide range of issues and contracts, but the primary focus will be on the similarities and differences between BPTIME 3, SHELLTIME 4 and ExxonMobil TIME 2000.

13:00–14:15

**Time charter duration and re-delivery:**

- Overlap/underlap
- Illegitimate last voyages
- Express and implied tolerances
- Last voyage clauses
- "Without guarantee".

This session will analyse the essential legal aspects of time charter duration and re-delivery.

Key topics will include the concepts of overlap and underlap, exploring how these affect the timing of vessel redelivery. We will also examine the issue of illegitimate last voyages, focusing on situations where the final voyage may not align with the agreed terms. The session will cover both express and implied tolerances, clarifying how they impact the re-delivery process. Additionally, we will analyse last voyage clauses and discuss the legal implications of “without guarantee” provisions in time charter agreements.

14:15–14:30

*Break*

14:30–15:30

**Payment of hire and off-hire disputes:**

- Payment on time
- Allowed deductions
- Methods of payment
- Methods of payment of the value of bunkers at delivery
- Remedies for non-payment of hire
- Withdrawal of vessel from charterers' service
- Anti-technicality clauses
- Suspension of service.

In this session, we will address the key legal issues related to payment of hire and off-hire disputes. Topics will include the legal requirement for payment on time and the circumstances under which deductions may be made from hire payments. We will discuss the various methods of payment, including the payment for bunker upon delivery/redelivery, and explore the remedies available for non-payment of hire. Additionally, we will cover the legal implications of withdrawing a vessel from the service, the role of anti-technicality clauses, and the legal framework for suspending service due to payment issues.

15:30–17:00

**Case study 1****DAY 2**

09:00–10:30

**Bills of lading:**

- The three key functions of bills of lading in tanker charter parties
- Bill of lading and its interaction with the voyage charter party, the sale contract and the letter of credit
- The Hague and Hague-Visby Rules
- Letters of Indemnities in the tanker trades. The P&I Position and the commercial handling.

In this session, we will explore the critical legal issues related to Bills of Lading in tanker charter parties. We will begin by examining the three primary functions of a Bill of Lading, including its role as a receipt, contract of carriage, and document of title. The session will then focus on the interaction between the Bill of Lading and key documents such as the voyage charter party, sale contracts, and letters of credit. Additionally, we will analyse the legal frameworks of the Hague and Hague-Visby Rules and address the use of Letters of Indemnity in the tanker trades, discussing both the P&I position and the commercial considerations involved.

10:30–10:45

*Break***Cargo Issues**

10:45–12:15

**Loading and discharging disputes:**

- Cargo sampling
- Commingling or blending cargo
- Tank cleaning and cargo readiness
- Intertanko's five standards of tank cleanliness
- Cargo retention and ROB clauses

- Contamination disputes
- Shortage disputes
- Evidence, documentation, time bar.

This session will examine the legal issues surrounding loading and discharging disputes in the tanker industry. Topics will include the legal aspects of cargo sampling and the implications of commingling or blending cargo. We will explore the responsibilities regarding tank cleaning and cargo readiness, referencing Intertanko's five standards of tank cleanliness. The session will also address the legal concerns surrounding cargo retention, ROB (Remaining On Board) clauses, and contamination and shortage disputes. Additionally, we will discuss the role of evidence and documentation in these disputes, including the time bar for raising claims and the legal consequences of failing to meet deadlines.

12:15–13:00

*Lunch*

13:00–14:15

#### **Oil major vetting and approvals:**

- Overview of vetting and inspection clauses
- The difference between vetting and approval
- Vetting in practice. The approval processes
- The warranty provided by the carrier.

This session will explore the legal issues surrounding oil major vetting and approvals within the tanker industry. We will begin with an overview of vetting and inspection clauses commonly found in charter party agreements, examining their legal significance. The session will distinguish between vetting and approval processes, highlighting the legal nuances between the two. We will also discuss how vetting and approval processes are conducted in practice. Lastly, we will review the warranty provided by the carrier in relation to these procedures, focusing on the legal responsibilities and potential liabilities involved.

14:15–14:30

*Break*

14:30–15:30

#### **Introduction to Letters of Indemnity (LOIs) in commercial shipping:**

- Overview of LOIs: What they are and why they are a common practice in commercial shipping.
- When is an LOI required? Discussing when a charterer may be asked to provide an LOI and the various scenarios that lead to such requests.
- Examples: Delivery of cargo without the original bill of lading, clean bill issuance despite cargo concerns, commingling or blending of cargo, and discrepancies between ship and shore figures.
- Standard P&I Club LOI Wordings: Explanation of the three standard LOI wordings issued by the International Group of P&I Clubs (IG), and when they apply.
- Challenges with Non-Standard Scenarios: Discussing scenarios like line flushing and commingling, and the risks of uncertainty when a standard LOI wording is not provided.
- Risk of Disputes: Potential for disputes when LOI wordings are unclear or not specified in the charter

15:30–17:00

#### **Case study 2**

## SPEAKERS

**Sammy Smallbone**

Sammy Smallbone is a Senior Corporate Lawyer and Sanctions Adviser in the Gard Group Legal team. Working from Gard's Tokyo office, he currently handles sanctions, corporate, and regulatory matters for the Gard Group. In 2023 he sat on the BIMCO drafting committee for the SYNACOMEX grain charter. Before joining Gard, he spent nine years in private practice as a shipping lawyer in London and Hong Kong, specializing in bill of lading and charterparty dispute resolution. He is qualified in Hong Kong and England and Wales and previously worked as a teacher and theatre practitioner.

**John Xavier Butler**

Dual-qualified as a Solicitor-Advocate in England & Wales and as a Solicitor in Hong Kong, John is also a Fellow of the Chartered Institute of Arbitrators (FCIArb) and has represented clients at arbitrations both "ad hoc" and subject to institutional rules (including LMAA, SCMA, SIAC, LCIA, ICC, UNICTRAL, HKIAC, CIETAC and others). John specialises in disputes arising out of charter parties, bills of lading, sale & purchase contracts and contracts of affreightment. Prior to joining A&M, John spent 9 years in Hong Kong (including a secondment to an IG P&I Club) and has experience of acting for parties across Asia, including owners, charterers, P&I insurers, brokers, cargo interests and shipyards in the marine sector. Outside of the marine field, John has also acted for shareholders and creditors in commercial disputes, fraud and insolvency proceedings, both before the Hong Kong and London courts

**Cindy Ko**

Cindy Ko is a Senior Lawyer in Gard's Defence / Charterers & Traders Claims Asia team. She obtained her Bachelor of Laws degree from the National University of Singapore and was ranked in the top 10 in the Singapore Bar Examinations in 2014. Prior to joining Gard, Cindy practiced for 10 years as a shipping and commodities disputes lawyer in Rajah & Tann Asia's Singapore and Shanghai offices, and in Stephenson Harwood Hong Kong. Cindy is qualified to practice law in Singapore, Hong Kong, and England & Wales.

## VENUE

### Allen & Gledhill LLP

Level 30, One Marina Boulevard  
Singapore

## ORGANISERS



### Ashok Srinivasan

Ashok is qualified and experienced as a Master Mariner, a certified Dynamic Positioning Officer, and a Marine Lead Auditor. In addition, he possesses a Master of Business Administration (MBA) from Copenhagen Business School. As the Regional Manager, South Asia and Technical Manager at BIMCO Singapore, Ashok is responsible for safeguarding the interests of BIMCO members and stakeholders in the technical aspects of maritime operations. His influence extends beyond the region as he serves as Vice-Chair of the Advisory Committee at the International Association of Classification Societies (IACS). With a proven track record spanning over 18 years in the maritime sector, Ashok has solidified his position as a maritime expert.

His extensive seafaring career with A.P. Moller Maersk encompasses a diverse range of vessel types, including container ships, car carriers, oil tankers (crude and product), and notably, gas tankers (LPG and LNG). His expertise further extends to the offshore sector where he held the roles of Master and Senior Dynamic Positioning Officer (SDPO) on platform supply vessels and cable layers. Demonstrating a strong commitment to quality and safety, Ashok previously contributed to enhancing ship quality, safety, and security at V.Group. His qualifications as a Certified Lead Auditor and Integrated Marine Auditor by LRQA (Lloyd's Register Quality Assurance) underscore his expertise in preparing vessels for external audits such as ISM, ISPS, and MLC, as well as industry vetting inspections like OCIMF-SIRE and CDI.



### Megan Lim

Megan joined BIMCO in 2022 as a Student Assistant supporting the Singapore office's membership activities and assisting former Deputy Secretary General, Søren Larsen. Her current role as Assistant Membership & Training Manager involves continued support for membership operations, along with efforts to expand BIMCO's presence in Singapore and broader Asia, in collaboration with the Asia team. Megan is an alumnus of Nanyang Technological University (NTU), holding a Bachelor's degree in Maritime Studies.

**For more information, please contact:**

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