

The practical voice of shipping



## DAY 1

09:00-09:15

#### Welcome and introduction to BIMCO

09:15-10:00

#### **Session 1: Sale contracts:**

- Definition and key components explanation of what constitutes a sale contract
- Overview and flowdown of EPC contracts
- Key contractual elements examination of critical components like delivery terms, payment conditions, risk transfer, and how incoterms define obligations and responsibilities between buyers and sellers (is covered further in session 2)
- Government restrictions.

10:00-10:15

Break

10:15-11:15

#### Session 2: Trade & delivery terms

- Allocation of costs and risks and how different incoterms define the division of responsibility for transportation costs, insurance, and other incidental charges between the seller and buyer, depending on the selected term (eg, FOB, CIF, EXW)
- Delivery obligations clarifying the seller's and buyer's obligations regarding delivery, such as when the goods are transferred from the seller to the buyer (eg, at the seller's premises, at a port of shipment or upon arrival at the destination port)
- Managing liability and the impact of incoterms on liability for loss, damage or delay during transit and how the selected incoterms affects the point at which the buyer assumes responsibility for the goods.

11:15-12:15

#### Session 3: Overview of major international regulations and conventions

- Compliance requirements in seaborne transportation
- Hague/Hague Visby Rules key provisions in relation to the carrier's responsibilities, cargo handling and liabilities for cargo damage
- Customs conventions and agreements
- Anti-corruption, sanctions, etc.

12:15-13:00

Lunch

13:00-14:00

#### Session 4: Overview of key transport documents and how they connect

- Transport and delivery documents understand the differences between the bill of lading (B/L) and seaway bills and the role of proof of delivery
- Commercial and trade documentation overview of the commercial invoice, packing list and certificate of origin, which are crucial for customs and trade compliance
- Cost and customs management freight invoices, customs documents, and export declarations (SED) to ensure smooth regulatory compliance and cost tracking
- Intermodal and container shipping the function of intermodal transport documents and the container packing certificate in multimodal logistics and safe cargo handling
- Integration and connectivity how these documents work together to streamline transport operations and ensure successful delivery across the supply chain.

14:00-15:00

#### **Session 5: The flow of documents:**

- Document flow overview tracing the sequence from the contract of sale to the issuance of the bill of lading (B/L), highlighting the key steps in the process
- Consistency and accuracy understanding how even small mistakes in documentation can



cause significant delays, disputes or financial losses

- Interdependency of documents exploring how trade documents such as the commercial invoice, certificate of origin and export declaration must align for smooth operations
- Technology and tools— leveraging digital solutions and software to automate and streamline the document flow for enhanced accuracy and efficiency.

15:00-15:15

Break

15:15-15:45

#### Session 6: Overview of international payment methods

- Letters of credit (L/C) and documentary collection understanding secure payment methods and their role in mitigating risk and ensuring compliance with trade terms
- ATA carnet and temporary import/export exploring the use and benefits of this customs document
- Payment strategies and risk management evaluating options such as open accounts and advance payments and techniques to manage risks like non-payment or currency fluctuations
- Integration and trends align payment methods with trade documentation and explore emerging technologies like digital platforms and blockchain in trade finance.

15:45-17:00

Session 7: Case study pulling the topics together for Day 1

Group discussion and summary

## DAY 2

09:00-10:00

#### Session 8: Project vs general cargo, liner vs tramp/private contract services

- Characteristics of project cargo vs general cargo understanding the unique handling, transportation and logistical requirements for specialised project cargo compared to standard general cargo
- Liner shipping services examining the fixed schedules, routes, and standardised operations typical of liner services and their suitability for various cargo types
- Tramp shipping and private contracts exploring the flexibility, tailored operations and cost implications of tramp services for bulk shipments
- Operational considerations factors influencing the choice between liner and tramp shipping, including cargo type, volume, route requirements and costs.

10:00-10:15

Break

10:15-11:15

#### Session 9: Overview of vessels used for project and heavylift cargoes

- Types of vessels an overview of key vessel types, including heavy-lift ships, semisubmersible vessels, multi-purpose vessels and barges, tailored to unique cargo requirements
- Specialised equipment and capabilities onboard cranes, lifting gear, stability systems and modular deck configurations that enable the transport of oversized and heavy items.

11:15-12:15

#### Session 10: Pre-shipment planning for project and heavylift cargoes

■ Voyage planning and risk management – key factors such as route selection, port



- infrastructure, weather conditions and risk mitigation strategies in planning successful transport operations
- Cargo handling and stowage understanding the challenges of safely loading, securing and unloading project and heavylift cargoes, with a focus on lashing, dunnage and stowage plans.

12:15-13:00

Lunch

13:00-14:00

## Session 11: How commercial contracts and charter parties work in multimodal transport solutions

- Role of charter parties in multimodal transport understanding how charter parties are tailored to specific segments of the multimodal transport chain
- Interface between contracts examining how commercial contracts, such as sales contracts, align with charter parties to ensure consistency and avoid conflicts
- Liability and risk allocation identifying how risks are shared between carriers, charterers and other stakeholders across different transport modes
- Impact of incoterms analysing how incoterms influence the division of responsibilities, costs, and risks between buyers and sellers in a multimodal setup
- Documentation in multimodal transport exploring the key documents, such as multimodal bills of lading and combined transport documents, that bridge gaps between contracts and charter parties.

14:00-15:00

## Session 12: Chartering of vessels and the requirements of the carrier and the charterer

- Voyage charters and time charters, including how these arrangements shape the priorities and obligations of both parties
- Specialist charter parties HEAVYLIFTVOY, CONLINEBOOKINGNOTE

- Key charter party clauses exploring critical terms such as laytime, demurrage, freight payment, force majeure/frustration and off-hire and their impact on operational and financial outcomes
- Bill of lading interaction understanding the relationship between the charter party and the bill of lading, including the rights and conditions for issuance
- Roles and responsibilities clarifying the distinct duties of the shipowner and charterer, ensuring effective collaboration and compliance in the chartering process.

15:00-15:15

Break

15:00-16:00

#### Session 13: Cargo insurance and cargo/stevedore damage

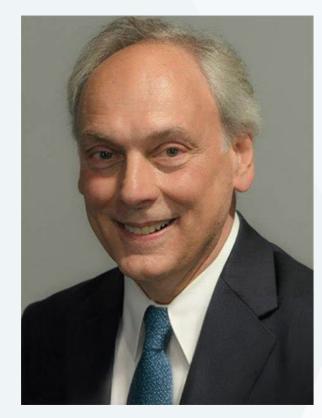
- The role of cargo insurance exploring the significance of cargo insurance in safeguarding against financial losses during transportation
- Handling cargo and stevedore damage addressing common issues related to cargo and stevedore operations and strategies for mitigation and resolution
- Overview of cargo insurance, hull insurance, FD&D (Freight, Demurrage & Defense) and P&I (protection & indemnity) to understand their roles in the maritime industry
- Key clauses and coverage details examining the institute cargo clauses (A, B, C) and how they define the scope of coverage for different risks
- Claims process and documentation understanding the steps in filing claims, including required documentation to expedite resolution
- Protecting financial interests highlighting the importance of robust insurance coverage in ensuring business continuity and mitigating financial exposure.

16:00-17:00

Session 14: Case study pulling together the topics from Day 2



## **SPEAKERS**



#### **Dennis Mottola**

Dennis is the owner and lead Project Logistics Consultant of Mottola Global Logistics LLC which provides customised supply chain/logistics related assessment and solutions support services that assist client shippers, LSPs, or other related entities in being the best at what they do. His career in Supply Chain and Global Logistics leadership spans experience in both shipper logistics management and as a provider of logistics services. He was most recently employed full-time by Bechtel Corporation where he performed a variety of roles and responsibilities

over his twenty-one years with the company including corporate global leadership of the Logistics, Expediting, and Supplier Quality functions.

Dennis earned a Business Logistics degree from Penn State University, in addition to completing various university executive programs and professional certifications over his career. He participates in several Supply Chain and Logistics industry organizations and thought leadership activities including ECMC, Breakbulk Americas, HLPFI, The Journal of Commerce, and serves on the advisory boards for HMAA, the University of Houston, Lone Star College, and Houston Community College supply chain/logistics programs.



#### **Utsav Mathur**

Utsav is a Partner, commodity trading, shipping, and offshore energy lawyer based in Norton Rose Fulbright's Houston office. Utsav's practice spans disputes (litigation and arbitration), regulatory, and certain transactional work.

Utsav represents energy companies and commodity traders on disputes arising from physical commodity trading activity and any related marine, pipeline or rail transportation activity. He also advises on pre-disputes issues and assists traders in resolving contentious matters prior to initiation of litigation or arbitration. Utsav also acts on charter party disputes, pollution

incidents, Rule B and C proceedings, cargo claims, collisions, allisions, and other marine casualties. Utsav routinely assists commodity trading and energy clients avoid disputes and mitigate risks by advising on and negotiating the slate of contracts typically implicated in commodity trading, storage, and transportation activity. Utsav also assists financial institutions and lenders enforce security interests against vessels through mortgage foreclosure litigation under the Commercial Instruments and Maritime Liens Act.

Utsav has represented energy companies with upstream, midstream, or downstream commercial litigation matters. In addition, Utsav advises clients on significant offshore energy projects. He has represented developers, contractors, and vessel owners on US offshore wind projects, with particular emphasis on unique Jones Act, Cargo Preference Act, Outer Continental Shelf Lands Act, and US general maritime law issues related to such projects. Moreover, he has assisted clients on a variety of other energy infrastructure projects, including the construction of crude oil pipelines, deepwater ports, FPSO charter/O&M agreements, and LNG-fuelled offshore power generation facilities. He has advised companies on litigation risks related to subsea pipeline construction, relocation, and ruptures. Utsav routinely advocates for clients on matters involving the US Coast Guard, US Customs and Border Protection, and US Maritime Administration. Public companies and private investors also consult Utsav on structuring investments in the US Jones Act shipping market.

Utsav's exposure to the maritime industry began early in life as he descends from a family of mariners and has spent time at sea.

## **SPEAKERS**



#### **Chris Hart**

Chris has broad experience with maritime liens, ship arrests, maritime attachment and garnishment remedies, transport and sale of goods contracts, cargo claims, shipping casualties, and marine pollution. For energy companies, Chris has experience with upstream and midstream commercial disputes and casualties, offshore and onshore, and with eminent domain condemnation cases for pipelines, including disputes arising from joint operating agreements, gas processing and gas measurement, mineral leases, and various conveyances of royalties and oil

and gas interests.

Chris has been a speaker for BIMCO and author for presentations and articles on topics including offshore drilling, coastwise trade laws, OSV charter parties, and many maritime law issues.

Chris is admitted to practice in Texas, in the US District Courts for the Southern, Eastern, and Western Districts of Texas, in the US Courts of Appeal for the Fifth and Tenth Circuits, and in the US Supreme Court. Before practicing law, Chris sailed as a professional mariner.

## **VENUE**

### Norton Rose Fulbright

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## **ORGANISER**



### Thomas Damsgaard

Thomas Damsgaard is BIMCO's Head of Americas. He started an exciting shipping career in 1990 and has earned his stripes in a succession of increasingly challenging roles within senior management and leadership for maritime market leaders. He has led several maritime start-ups and turnarounds and acted as an external advisor on leadership, strategy and optimisation to global maritime, logistics and PE organisations. He has served on professional boards within shipping and logistics. An active member of the Houston maritime community, he fills leading

roles including for the Houston Maritime Arbitrators Association, the Advisory Board at the University of Houston; he co-founded the Danish American Chamber of Commerce and a not-for-profit maritime scholarship fundraiser.

Thomas holds an MBA in Shipping & Logistics (Blue MBA) from Copenhagen Business School.

## For more information, please contact:

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