



Jointly present

Quintessential Issues In Maritime Operations

Speakers: Robert Bright QC and Dr Michael Loh
Moderator: Capt Chatur Wahyu

26 October 2018 (Friday) 2.30pm to 5.00pm

Venue: 31 Marina Coastal Drive, Marina South Pier,
Singapore Maritime Gallery, Level 2 Fort Canning Room
(Next to Marina South Pier MRT station)
Registration Fee \$50.00 (no GST)

Synopsis

Globally, not only the Maritime industry, but many commercial organizations, are plagued with examples of how communication failures have resulted in deadly calamities. In the Maritime industry, specifically, communication failures can lead to disasters at sea, leading to loss of precious lives and property. Such failures can be due to several factors, including cross-cultural misunderstanding, problems inherent and unique to the Maritime industry.

Dr Michael Loh will speak on the role and impact of languages on seafarers from different countries as well as their challenges facing multifarious languages, where a particular word can mean totally different things to nationals of different countries; all compounded by accents, strong winds, and noisy seas. Dr Michael Loh will analyse the decline of clear, succinct communications and suggest remedies.

Robert Bright QC will speak on maritime fraud - Contracts, Lies and Illegality. In the last few years, the UK Supreme Court in relation to fraud and illegality has issued several seminal decisions. These decisions are important for the marine insurance industry, and for the insurers, shipowner and charterers who depend on it. Quite topical and should appeal to all!

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Programme

- 2.30pm to 3.30pm - How the Skipper of Breaking Wind "Seas" the Day and Shot an Elephant in his Pajamas - Communication Failures and their Potentially Disastrous Consequences, and How To Handle Them (by Dr Michael Loh).
- 3.30pm to 4.00pm - Tea Break
- 4.00pm to 5.00pm - Contracts, Lies and Illegality, the talk will focus on:
- Patel v Mirza – illegality
 - Versloot Dredging v HDI Gerling – deceit in support of claim
 - Hayward v Zurich – deceit in support of settlement agreement
 - The B Atlantic – illegal activity
 - The relationship between these decisions and their specific significance in insurance/shipping law (by Robert Bright QC)

About the Speaker



ROBERT BRIGHT QC

"His razor-sharp mind is suited for the most complex cases and challenging panels."

Legal 500 2018 (Insurance & Reinsurance)



Robert Bright practises primarily as an advocate and case-leader with experience in a broad range of commercial litigation.

He is generally regarded as one of the Bar's leading Silks in Shipping and Commodities and has a top-tier ranking in both fields (Chambers & Partners, Legal 500). Recent cases of note include successfully defending claims by ship owners in the Supreme Court in *PST Energy 7 Shipping LLC v OW Bunker Malta* [2016] A.C. 1034, (sale of goods) described by Lloyds list as "*the most spectacular shipping legal imbroglio so far this century*"; *Stolt Kestrel v Niyazi S* [2015] EWCA Civ 1035 (shipping), now the leading case on Admiralty actions in rem; *Great Elephant v Trafigura* [2014] 1 Lloyd's Rep. 1 (international trade/energy) now the leading case on force majeure. Recent insurance/reinsurance work includes the ongoing *Atlantik Confidence* litigation.

Much of Robert Bright's work in recent years has been in arbitrations. Recent and ongoing arbitrations include a very large number of LMAA arbitrations as well as several LCIA and ICC arbitrations, as well as appointments as arbitrator. Robert's work as an advocate has included involvement in several international arbitrations taking place overseas, in Europe, Singapore, Hong Kong and Malaysia. Robert Bright's practice involves a significant advisory component. He places emphasis on understanding the client's commercial objectives, so as to be able to give advice that is both realistic and of practical use to the client. Robert Bright also regularly sits as an arbitrator both in London and overseas. Please assess full cv www.7kbw.co.uk

About the Speaker



DR MICHAEL LOH

Dr. Michael Loh is a renowned authority on the psychology of change, a Certified Management Consultant, and a recognized expert on organization development. With decades of experience, Dr. Loh possesses a deep understanding of psychological principles and research methodologies that intersect and combine theories with practice in business settings. His strength lies in his ability to identify key psychological theories and applying them successfully to a wide variety of challenges facing contemporary organizations.

Dr Loh is a diplomate of the American Association of Psychotherapists, a life member of The National Psychiatric Association, USA, and member of L'Association Internationale de Psychologie Appliquee, as well as a Professional Member of the American Counseling Association. Dr. Loh is also a Certified Professional Coach and is a member of the International Association of Coaching. He has been elected to the President's Council of The American Institute of Management. Dr Loh is also the author of 8 books. See DrMichaelLoh.com

About the Moderator



CAPT CHATUR WAHYU

Cap Chatur Wahyu is a Deputy Director with the Singapore Maritime Academy. He embarked on a sea career in 1987 and took command in 1999. He joined Singapore Maritime Academy in 2000 and had served as an Elected Member of the Singapore Polytechnic (SP) Board of Studies from 2012 to 2016. Since the introduction of the new MOE CET Qualification Framework in 2012, he had played a key role in developing several CET diploma and post-diploma courses that are currently offered by SP and MPA.

He obtained his LLM (Maritime Law) from the University of Southampton, England, in 2007. He was appointed as an adjunct lecturer for the degree programmes at the Australian Maritime College (University of Tasmania) and Maritime Institute Willem Barentsz (NHL University of Netherlands) in 2009. He was accredited as an Associate Mediator for the Singapore Mediation Centre (SMC) in 2013 and currently sits on its Maritime Panel. He had mediated numerous disputes at the Small Claim Tribunal in the State Courts and the Syariah Court of Singapore on a pro bono basis.

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