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CAPITALISING ON THE CHANGING MARITIME BUSINESS & ITS GREEN INITIATIVES **5<sup>TH</sup> ANNUAL**

# INTERNATIONAL MARITIME LAW

## 2010 CONFERENCE

CONFERENCE DATE: **28-29 APRIL 2010**  
 POST-CONFERENCE WORKSHOP: **30 APRIL 2010**  
 VENUE: **ROYAL PLAZA ON SCOTTS HOTEL, SINGAPORE**

**AN EVENT HELD DURING THE SINGAPORE MARITIME WEEK 2010**

"MCF Course Fee Subsidy is available for eligible participants. Please refer to [www.mpa.gov.sg/mcf](http://www.mpa.gov.sg/mcf) for more information."



### RE-POSITIONING BUSINESS STRATEGIES IN COMPLIANCE WITH NEW LEGAL AND REGULATORY REQUIREMENTS



#### EVENT HIGHLIGHTS:

- ✓ 3 DAYS STRATEGIC FORUM
- ✓ 26 INTERNATIONAL MARITIME LEGAL EXPERTS FROM 10 COUNTRIES
- ✓ 3 REGULATORY KEYNOTE SPEAKERS
- ✓ 2 SOLUTIONS WORKSHOPS
- ✓ 1 INTERACTIVE PANEL DISCUSSIONS ON GREEN SHIPPING
- ✓ 18 HOURS OF NETWORKING OPPORTUNITIES
- ✓ COMPREHENSIVE COVERAGE ON TOPICAL MARITIME LEGAL DEVELOPMENTS & ISSUES

#### UNRIVALLED NETWORKING OPPORTUNITIES YOU CANNOT MISS!



#### FEATURING INTERNATIONAL MARITIME LEGAL EXPERTS:

##### MARITIME REGULATORS

- Director General, Directorate General of Sea Transportation, Ministry of Transportation Republic of Indonesia (*Invited*)
- Dato' Jude P. Benny, Managing Partner & Director, Joseph Tan Jude Benny LLP & Maritime and Port Authority of Singapore
- Lew Russell, Chief Executive Officer, Shipping Australia Limited

##### INDUSTRY SPECIALISTS

- Rajnish Bajpae, Deputy Chief Executive Officer, Bernhard Schulte Shipmanagement
- Chandran Mathavan, General Manager, Titan Maritime (SEA)
- Shashank Agrawal, Legal Advisor, GMS (Dubai), UAE

##### RISK MANAGEMENT EXPERTS

- Per-Age Nygard, Lawyer & Legal Council, Norwegian Hull Club, Norway
- Christian Ott, AVP, Skuld P&I Club, Hong Kong
- Tan Hui Tsing, Claims Handler, Shipowners' Asia For and on Behalf of The Shipowners' Mutual Protection and Indemnity Association (Luxembourg) (Singapore Branch)

##### ARBITRATORS

- Alex Baykitch, Vice President & Partner, Australian Centre for International Commercial Arbitration
- Shereen Khan, Legal Counsel, Kuala Lumpur Regional Centre for Arbitration, Malaysia
- Sheila Lim, Arbitrator & Former Counsel, Singapore International Arbitration Centre (SIAC)

##### LEGAL EXPERTS

- Sin Lye Kuen, Director, DLA Piper
- Derek Luxford, Partner, Transport, Trade and Energy, Hicksons Lawyers, Australia
- Chris Edwards, Partner, Clyde & Co
- Leong Kah Wah, Partner, Admiralty & Shipping, Rajah & Tann
- Fuzet Farid, Partner, Corporate Shipping & Aviation, Zul Rafique & Partners, Malaysia
- Chris Grieveson, Partner, Wikborg Rein
- Tony Goldsmith, Partner/Master Mariner, Hill Dickinson
- Denys Hickey, Partner, Ince & Co.
- Jon Ray, Senior Marine Manager, Watson, Farley & Williams
- Navinder Singh, Managing Partner, Navin & Co.
- Dennis Tan, Shipping Lawyer and Partner, DennisMathiew, Advocates & Solicitors, Singapore

##### MARITIME MEDICAL EXAMINER

- Dr. Joseph Bien C. Abesamis, Vice-President, International Maritime Health Association (IMHA), Philippines

##### MARITIME RESEARCHER AND ACADEMICIAN

- Capt. Frederik James Francis, Senior Lecturer and Legal Consultant, Singapore Maritime Academy, Singapore Polytechnic

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# 5<sup>TH</sup> ANNUAL INTERNATIONAL MARITIME LAW 2010 CONFERENCE

DAY 1 ◆ 28 APRIL 2010 ◆ WEDNESDAY

8:00 REGISTRATION, MORNING COFFEE AND NETWORKING

9:00 CHAIRMAN'S WELCOME AND OPENING REMARKS



**Capt. Frederik James Francis**  
*Senior Lecturer and Legal Consultant*  
Singapore Maritime Academy, Singapore Polytechnic

## MARITIME REGULATORY UPDATES

9:15 UPDATES ON THE LATEST MARITIME AND PORT REGULATIONS IN SINGAPORE



**Dato' Jude P. Benny**, *Managing Partner & Director*  
**Joseph Tan Jude Benny LLP & Maritime and Port Authority of Singapore**  
Dato' Benny founded the firm in 1988 and has since been the architect of the firm's growth. As a reputable litigation lawyer, he is constantly awarded personal accolades in legal circles. Apart from being an appointed arbitrator in various arbitration institutions, Dato' Benny has been instrumental in the development of arbitration in Singapore. As a Director of the Singapore Maritime Foundation, Dato' Benny led a Working Group that established the Singapore Chamber of Maritime Arbitration in 2004.

Keynote  
Address

9:45 UPDATES ON THE LATEST MARITIME AND PORT REGULATIONS IN INDONESIA



*Director General*  
**Directorate General of Sea Transportation, Ministry of Transportation**  
Republic of Indonesia (Invited)

10:15 MORNING REFRESHMENT AND NETWORKING SESSION

10:30 POST GFC SECTOR OUTLOOK AND LATEST REGULATORY ISSUES IN MARITIME INDUSTRY IN AUSTRALIA



- Overview of the effects of the GFC on world-wide shipping, how Australia has coped and possible effects on demand for maritime legal services in the future
- Outlines of maritime legal issues in Australia at the present time
  - Updates on Australian Government approach to the Rotterdam rules and the industries view
  - Understanding the approach by the Australian Government to force the crew on foreign ships carrying Australian coastal cargo under permit to be subject to Australian industrial laws
  - Port authorities seeking to evade responsibility for negligence by requiring an all embracing indemnity from the ships agent for any damage
  - Chain of responsibility legislation and the carriage of overweight containers (i.e. does it work?)
  - Lack of liability for inland carriage in Australia and why that is a problem
  - Non-adherence by the Australian Government on the Convention limiting claims for liability for oil pollution and case study of the "Pacific Adventurer" in an oil spill off Queensland in March last year

**Llew Russell**, *Chief Executive Officer, Shipping Australia Limited*

Llew Russell is the CEO of Shipping Australia Ltd, a company which represents thirty-nine member shipping lines and shipping agencies. Llew has a Bachelor of Economics degree from the University of Queensland and a Master of Business Administration Degree from Heriot-Watt University of Edinburgh. Llew holds various Board positions and is a member of the Australian Government's Maritime Industry Security Consultative Forum.

Keynote  
Address

Case  
Study

11:00 SINGAPORE MARITIME STATUTE LAW AND COLLISION LAW



- Singapore's principal consolidating acts
- Singapore collision law
- Principles of liability
- Burden of proof
- Rules as to proof
- Antecedent and subsequent negligence
- Division of loss

**Capt. Frederik James Francis**, *Senior Lecturer and Legal Consultant*  
Singapore Maritime Academy, Singapore Polytechnic

Capt. Frederik Francis is an expert witness in arbitration and litigation cases and was an appointed legal advisor for an IMO-ASEAN project on the Drafting and Updating of Maritime Legislation to Support Adoption and Accession by ASEAN Member Countries to IMO Conventions. He has won many awards including the PSA (Port of Singapore Authority) Commendable Act award, the USCG (United States Coast Guard) Public Service Commendation award, Best Recruit, Outstanding Soldier award, Green Buddy award, Innovative & Creativity award, etc.

11:30 UNDERSTANDING AND APPLYING THE NEW UN CONVENTION 'ROTTERDAM RULES' IN MARITIME TRANSPORT OF GOODS



- An overview of the new rules
- What do they mean for owners and their insurers
- How do they work

**Chris Grieseson**, *Partner, Wikborg Rein*

Chris Grieseson joins Wikborg Rein on 1<sup>st</sup> April 2010 as a Partner. He will head a new disputes team in the Singapore office. Previously Chris was a partner in the Singapore office of another leading international shipping firm. He has extensive experience of all aspects of shipping law (both globally and specially within SE Asia). Chris has been involved in handling some of the world's major casualties and pollution incidents, as well as many much smaller incidents. He regularly advises shipowners, charterers, their clubs and traders on all aspects of carriage of goods and charterparty law.

## LEGAL ISSUES FOR RECYCLED SHIPS

12:00 RESOLVING LEGAL CHALLENGES FOR CASH BUYERS IN THE SHIP RECYCLING INDUSTRY



- Updates on IMO Safe Recycling Convention
- Addressing problems associated with ship recycling keeping in mind the protection of environment and safety of workers in the recycling of ships
- Understanding the role of a cash buyer in the ship recycling industry

**Shashank Agrawal**, *Legal Advisor, GMS (Dubai), UAE*

Shashank Agrawal is a qualified Indian attorney and is the Group Legal Advisor at GMS. At GMS Shashank looks at a variety of issues ranging from sale and purchase disputes, litigation, arbitration and contract negotiations. He is also the Secretary to the Green Ship Recycling Association which inter alia promotes green ship recycling to various industry participants across the globe.

12:30 NETWORKING LUNCH

## PANEL DISCUSSION: GREEN SHIPPING

2:00 ASSESSING THE COSTS-BENEFITS AND THE LEGAL IMPLICATIONS OF GREEN INITIATIVES IN MARITIME INDUSTRIES



- Business and economic impacts of Marine Environment Protection and Ship Recycling Conventions 2009 on ship owners
- Determining the new conventions influence on the choice of location for ship breaking and also the returns ship owner will get from the sale proceeds
- Evaluating the costs incurred in meeting the new regulatory compliance and determining the best possible ways to minimise the costs

Moderator:

**Derek Luxford**, *Partner, Transport, Trade and Energy, Hicksons Lawyers, Australia*



Panelists:

**Llew Russell**, *Chief Executive Officer, Shipping Australia Limited*

**Tony Goldsmith**, *Partner/Master Mariner, Hill Dickinson*

**Christian Off**, *Assistant Vice President, Skuld P&I Club, Hong Kong*



**Dennis Tan**, *Shipping Lawyer and Partner*

**Dennis Mathieu**, *Advocates & Solicitors, Singapore*

## ROLE OF MARITIME AUTHORITIES

2:30 UNDERSTANDING THE ROLE OF LOCAL GOVERNMENT IN SHIP FINANCE TO AVOID LEGAL DISPUTES



- Registrations of ship mortgages for provisionally registered vessels
- Registrations, filings, consents and approvals in ship finance
- Logistics and timing for drawdown

**Fuzet Farid**, *Partner, Corporate Shipping & Aviation*

**ZUL RAFIQUE & Partners, Malaysia**

Fuzet Farid is a Partner of the Zul Rafique & Partners and head of the shipping practice group. She has significant experience in the transportation and offshore oil and gas sectors, representing international & local financial institutions, shipping and energy companies as well as ship lessors. She has advised on a range of financing facilities and transactions for offshore vessels and installations, chemical bulk tankers including syndicated and structured debt financing, cross border leasing and off-balance sheet structures.

## SHIP ARREST

3:00 SHIP ARRESTS ARE BACK IN FAVOUR: RECENT DEVELOPMENTS & CHALLENGES



- The demise of Rule B Attachments: Updates on the impacts of the SCI vs. Jaldhi decision on claimants with maritime claims seeking security
- Exploring the risks and benefits of other remedy options for ship arrests: Mareva injunctions and freezing orders
- Recent law cases from these legal developments

**Leong Kah Wah**, *Partner, Admiralty & Shipping, Rajah & Tann*

Leong Kah Wah is a Partner from the Admiralty and Shipping Practice Group, of Messrs Rajah & Tann. He is acknowledged as a "casualty, cargo and charterparty expert" for shipping in Chambers Global The World's Leading Lawyers 2004 to 2009 Editions. He is also recognised as a leading lawyer in the fields of shipping and maritime laws by Asia Law Profiles (2007), Who's Who Legal: Singapore 2008, 2009 and Legal 500 Asia Pacific 2009/2010.

3:30 AFTERNOON REFRESHMENT AND NETWORKING

## CHARTERPARTIES

4:00 TOPICAL ISSUES AND CASES RELATING TO CHARTERPARTIES



- A pre-emptive right of termination: Can Owners terminate the charter before expiry of the laycan period i.e. before the time for performance by Charterers arrives?

- Is a charterparty a "berth" or "port"? Who bears the risk of delay at load and/or discharge ports?
- Should the earnings of a vessel after the contractual redelivery date be taken into account when assessing damages arising out of early termination of a charter by Charterers?

**Chris Edwards, Partner, Clyde & Co.**

Chris Edwards has been based for over the last 14 years. He has extensive experience of litigation and trading disputes, including issues connected with charterparties, bills of lading, trading contracts and insurance policies. He has also acted for shipbrokers and commodity traders in disputes.

## MANAGING MARINE THREATS AND SECURITY

4:30



### LAW OR ANARCHY AT SEA? OLD PERILS AND NEW THREATS FOR THE SHIPOWNER IN THE AGE OF MODERN PIRACY AND ANTI-WHALING ACTIVISM

- Assessing the factors threatening the safety at sea of ships and mariners which supposed to be protected by a raft of private and public law i.e. pirates and anti-whaling activists engaged in illegal and other criminal activities on the high seas and national waters
- Understanding how flouting of international conventions without sanction is rife with seafarers and vessels deliberately imperiled and subjected to violence
- Clashing legal, national, economic social and political systems are difficult to reconcile. Whose law, if any, applies?
- Anarchy appears to reign with limited will, resources or authority to solve the problems and restore the rule of law to the seas
- Is there a workable solution? Can the law provide one?

**Derek Luxford, Partner, Transport, Trade and Energy**

**Hicksons Lawyers, Australia**

Derek leads Hicksons' Transport and Trade team. His clients include ship, plane, train and road haulage owners, charterers, freight forwarders, stevedores, terminal operators, shipbuilders, exporters, importers and commodity traders.

5:00

### CHAIRMAN'S SUMMARY FOLLOWED BY END OF DAY ONE

10:15

## MORNING REFRESHMENT AND NETWORKING SESSION

## MARINE SALVAGE

10:30

### SALVAGE LAW AND PRACTICE: AN ASIAN PERSPECTIVE

- Introduction to salvage, the history and the concepts
- The salvage convention: Applicability in Asia
- Assessing a salvage award: Legal case studies on specific issues
- Practical case studies with an emphasis on Asia



**Chandran Mathavan, General Manager, Titan Maritime (SEA)**

Chandran spent 15 years with the Royal Malaysian Navy rising to the rank of Lieutenant Commander. He then entered the world of salvage, first with Sembawang Maritime Ltd where he was seconded to Jurong Marine Service Pte Ltd and then with Semco Salvage & Marine Pte Ltd. He joined SMIT International Singapore Pte Ltd as Commercial Executive in 1997. He joined Titan (SEA) Pte Ltd in October 2009 as the General Manager.

**Tony Goldsmith, Partner/Master Mariner, Hill Dickinson**

Tony became a partner in 2001 and now heads up Hill Dickinson's Singapore office. He served at sea for 12 years and has experience on a variety of different types of vessels including tankers, general cargo, bulkers, ferries and offshore vessels. During his legal career, Tony has handled a large number and wide variety of cases, many of which have been very high profile. He has been acting for world salvage leaders, Titan Maritime for many years.

Joint Presentation



## MANAGING LEGAL DEVELOPMENTS IN MARITIME INDUSTRY

11:00

### A CASE STUDY FROM SHIP OPERATOR ON MANAGING LEGAL, REGULATORY, COMMERCIAL AND ENVIRONMENTAL RISKS: RECENT DEVELOPMENTS AND MITIGATION STRATEGIES

- Legal risks
  - Piracy and its legal complications
  - Criminalisation of seafarers
- Regulatory risks
  - Maritime Labour Convention 2006
  - The adoption of the Bunker Convention 2001
- Commercial risks
  - The Rotterdam Rules 2009 and changes in liability to cargo
  - Counterparty risk and default in poor freight markets
- Environmental risks
  - The US EPA's NDPES requirements
  - The restrictions on sulphur dioxide emissions and sulphur content of fuel under MARPOL on global as well as local ECAs



**Rajaish Bajpae, Deputy Chief Executive Officer**

**Bernhard Schulte Shipmanagement**

With over 37 years of industry experience at sea and ashore, Rajaish Bajpae is currently the Deputy CEO of Bernhard Schulte Shipmanagement, an integrated maritime services company formed in 2008 by combining four ship management organisations. In 2008, he was awarded an Honorary Fellowship by the prestigious Nautical Institute for his services & contribution to the Shipping industry.

## SALE & PURCHASE OF SECOND-HAND SHIPS

11:30

### MASTERING THE LEGAL PROCESS OF SALE AND PURCHASE OF SECOND-HAND SHIPS

- From signing of MOA to delivery of ship
- Liabilities that survive change of ownership of ships
- Verification of seller's right to sell the ship
- Discharge of mortgage and sale of ship
- Rights of buyer against seller after delivery of ship
- Rights of buyers and sellers in aborted sale



**Sin Lye Kuen, Director, DLA Piper**

Sin Lye Kuen is a Director in the International Trade and Maritime Practice Group. His practice areas are international arbitration and litigation as well as cross border transactional work including ship finance. He is highly regarded in the maritime industry having been involved in many landmark cases representing ship owners, cargo interests, P&I Clubs, mortgagors, ship registries and classification societies.

## SHIPBUILDING CONTRACTS

12:00

### EFFECTIVELY MANAGING SHIPBUILDING CONTRACTS

- Dealing with variations
- Managing cost overruns
- Effect of insolvency and additional payments
- Liquidated damages and general damages for late delivery
- Termination



**Denys Hickey, Partner, Ince & Co.**

Denys acts for ship owners, charterers and P&I Clubs advising on charterparties and contracts of carriage. He has particular expertise in relation to oil and gas and chemicals and heads up Ince and Co's Energy and Offshore practice in Singapore. His work has also included advising on a number of shipbuilding disputes and related insurance issues arising out of builders' risks, and Denys has litigated, arbitrated and mediated a wide range of shipping disputes.

12:30

### NETWORKING LUNCH

## MARINE INSURANCE AND CARGO CLAIMS

2:00

### ASSESSING RISKS IN A FALLING SHIPPING MARKET: LEGAL CONSIDERATIONS RELATING TO INSURANCE VALUES

- Freight markets and ship values decline: What about the insured values?
- Consequences of over insurance under hull & machinery and loss of hire insurances
- Ships in lay up: Still need for loss of hire insurance?
- Current trends relating to insurance claims



**Per-Age Nygard, Lawyer & Legal Council, Norwegian Hull Club, Norway**

# DAY 2 ◆ 29 APRIL 2010 ◆ THURSDAY

8:30

### MORNING COFFEE AND NETWORKING

9:00

### CHAIRMAN'S WELCOME AND OPENING REMARKS

**Sin Lye Kuen**

*Director*

**DLA Piper**



## LEGAL ISSUES FOR MARITIME HEALTH

9:15

### HOW IMHA CAN INFLUENCE THE LOCAL GOVERNMENT IN DECISION-MAKING IN THE INTERNATIONAL MARITIME LAW WITH REGARDS TO HEALTH

- Understanding the role of IMHA in international maritime law
- Validity of medicals vary from country to country
- Restrictions needed on health to ensure safety of our seafarers.
- Common diseases encountered during the PEME (Pre-Employment Medical Examination)
- Different health packages done in order to prevent medical repatriation

**Dr. Joseph Bien C. Abesamis, Vice-President, International Maritime Health Association (IMHA), Philippines**

Dr. Abesamis is a licensed Physician with a post graduate training in Occupational Health. At present, he is the Assistant Medical Director of American Outpatient, Inc. (American Hospital, Inc.) and Clinical Occupational Medicine and Treatment (CLINICOMED). He is the Accredited Medical Examiner for several maritime and government related organisations in the Philippines and overseas. He is also the President of the Maritime Clinics and Doctors Association of the Philippines (MARCDOC).



## MARINE POLLUTION

9:45

### RECENT DEVELOPMENTS & LEGAL ISSUES IN MITIGATING MARITIME POLLUTION

- Pollution from ships and the protection of the marine environment
  - The International Maritime Organisation's MARPOL Convention regime: Oil pollution, reception facilities and the annexes to MARPOL 73/78
  - The jurisdiction of states to deal with vessel-source pollution as laid down in the UN Convention on the Law of the Sea (UNCLOS)
  - The double hull requirement & progressive phasing-out of single hull tankers
  - The EU Ship Source Pollution Directive 2005/35/EC and the response from industry
- Pollution control and the protection of the marine environment: Double Hulls, the Exxon Valdez, Erika and Prestige disasters & the regulatory pressure from the regional bodies such as the European Commission
- Liability and compensation for pollution
  - CLC and fund conventions • HNS convention • Bunkers convention

**Navinder Singh, Managing Partner, Navin & Co.**

As a reputable practitioner in the field of shipping litigation and arbitration. His principal areas of practice remain in civil and commercial litigation, shipping and admiralty litigation, insolvency law and IT/IP law. His other practice areas include ship financing and shipping corporate/transactional matters.



2:30

**MARINE CARGO ALL RISKS INSURANCE: DOES IT REALLY COVER "ALL RISKS"?**

- Understanding the "all risks" policy
- Perils excluded
- The "fortuity" requirement (risk vs. certainty of loss)
- Inherent vice: What does this mean in practice?

**Jon Ray, Senior Marine Manager, Watson, Farley & Williams**

Jon specialises in commercial disputes including power and energy arbitration, shipbuilding and ship repair disputes, casualty management, marine insurance claims and charterparty disputes. Since arriving in Singapore in 1993 he has taken a central role in the handling of three large power plant arbitrations, in addition to the conduct of claims involving marine casualties.

Case Study

3:00

**ALTERNATIVE STRATEGIES IN MAXIMISING YOUR P&I IN THESE CHALLENGING TIMES**

- How P&I benefits shipowners and minimises potential risks in shipping sector: Assessing the services that P&I Club can give to you
- Knowing your cover: Maximising your rights under your P&I cover
- Ensuring that your business is covered
- FD&D: What it covers and how to get the best from it

**Tan Hui Tsing, Claims Handler, Shipowners' Asia**

For and on Behalf of **The Shipowners' Mutual Protection and Indemnity Association (Luxembourg) (Singapore Branch)**

Tan Hui Tsing was a shipping lawyer prior to joining Shipowners' P&I Club. In her present role as claims handler, she manages the entire spectrum of P&I claims for members. Although she has left legal practice, Hui Tsing maintains an interest in the practice and development of shipping law in Singapore.

3:30

**AFTERNOON REFRESHMENT AND NETWORKING****MARINE DISPUTES RESOLUTIONS**

4:00

**SUCCESSFULLY MANAGING AFFREIGHTMENT DISPUTES POST GREAT FINANCIAL CRISIS**

- What makes an affreightment contract/dispute different from a normal charter dispute
- Specific legal issues arising
- Guarantees
- The financial crisis: What actually happened and what did people actually do
- The next step: How to handle an affreightment dispute
- Key learnings: Summary

**Christian Ott, Assistant Vice President, Skuld P&I Club, Hong Kong**

Christian started his particular responsibility for its Hong Kong, P.R.C., and Korean ship-owner and charterer Members. He is a first port of call in respect of queries and issues Skuld Members have in relation to charterparty disputes, cargo claims, collisions, pollution incidents, personal injury claims and fatalities, as well as stowaway problems. He is also a member of the Executive Committee of the Hong Kong Maritime Law Association and from October 2007 to September 2009 took on the role of Secretary of the Association.

4:30

**RESOLVING MARITIME DISPUTES THROUGH MARITIME ARBITRATION**

- Overview of maritime disputes and resolution mechanisms
- Fast-track maritime arbitration
- Best route for resolving disputes
- Key issues to consider in drafting the arbitration clause

**Shereen Khan, Legal Counsel****Kuala Lumpur Regional Centre for Arbitration, Malaysia**

Shereen Khan was admitted as an Advocate and Solicitor of the High Court of Malaya in 1999 and joined the legal fraternity. Thereafter in the year 2002, she ceased legal practice to lecture at a private institution as a Senior Law Lecturer as well as heading the department of External Degrees Programme. She is currently reading her Ph.D in Law at the National University of Malaysia.

5:00

**LEVERAGING ON AUSTRALIAN MARITIME ARBITRATION AS AN ALTERNATIVE SHIPPING AND INTERNATIONAL TRADE DISPUTE RESOLUTION TOOL**

- Updates on maritime arbitration in Australia
- Assessing the available options for maritime dispute resolutions in Australia
- Understanding ACICA's role in international commercial arbitration in the region
- The ACICA's expedited arbitration rules

**Alex Baykitch, Vice President & Partner****Australian Centre for International Commercial Arbitration**

In Chambers 2009 Alex was singled out for his "stellar representation of clients in domestic and international arbitrations" arising from oil and gas, commodities and shipping related commercial disputes. His clients include banks and their underwriters, oil and gas corporations, mining and resources companies, as well as commodity traders, insurers and shipowners.

5:30

**ADMINISTERED ARBITRATION VS. AD HOC ARBITRATION FOR SHIPPING INDUSTRY**

- What are the differences between administered and ad hoc arbitrations?
- What are the differences between various administered rules?
- Is one Institution better than another?

**Sheila Lim, Arbitrator & Former Counsel****Singapore International Arbitration Centre (SIAC)**

Sheila is a lawyer by profession and a full-time Maritime Arbitrator practising on her own. She was formerly Counsel with the Singapore International Arbitration Centre (SIAC) and the Singapore Chamber of Maritime Arbitration (SCMA). Prior to that she was In-house Counsel for a Large Singapore Listed Company and in that capacity handled one of the largest shipbuilding disputes which was arbitrated in London under LMAA Rules.

6:00

**END OF CONFERENCE****SEPARATELY BOOKABLE****1-DAY POST-CONFERENCE WORKSHOP (2 SESSIONS) 30 APRIL 2010 • FRIDAY****WORKSHOP A (9:00am-12:30pm)****"CAPITALISING ON HULL REQUIREMENTS AND SUCCESSFULLY MANAGING MARITIME SAFETY AND CASUALTIES"****Navinder Singh, Managing Partner, Navin & Co.****WORKSHOP OBJECTIVES:**

This workshop will provide in-depth understanding on various maritime casualties' types, regulations, requirements and other legal challenges as well as present solutions for managing casualty issues and ensuring maritime safety.

**WORKSHOP OUTLINES:**

- Types of casualties at sea, groundings and capsizing, etc.
- Preliminary issues arising from a casualty i.e. crew statements/appointment of experts, etc.
- Dealing with hull and machinery insurers and protection and indemnity clubs
- Preservation of the evidence and reports
- Maritime and port authority investigations

**ABOUT YOUR WORKSHOP LEADER:**

As a reputable practitioner in the field of shipping litigation and arbitration, **Navinder Singh** has acted as counsel in several landmark cases involving complex shipping work, and two of those cases determined issues in the Singapore Courts for the first time. He has litigated cases in many areas of law. His principal areas of practice remain in civil and commercial litigation, shipping and admiralty litigation, insolvency law and IT/IP law. His other practice areas include ship financing and shipping corporate/transactional matters.

**WORKSHOP B (1:30pm-5:00pm)****"MARINE INSURANCE: PRINCIPLES, APPLICATION AND LATEST DEVELOPMENTS"****Gan Seng Chee, Partner, Ang & Partners****WORKSHOP OBJECTIVES:**

This workshop will provide an overview on the legal principles and concepts of managing risk in maritime industry by using Marine Insurance. It will explore the latest legal developments of marine insurance and how to successfully implement these laws in real practice.

**WORKSHOP OUTLINES:**

- Exploring principles of marine insurance in the marine insurance act and common law cases
- Mastering the important concepts of marine insurance
- Assessing how these principles are applied in real life by referring to various cases decided by the courts
- Discovering the latest developments in maritime insurance law
- Assessing the possible reforms and their potential impacts on the industry

**ABOUT YOUR WORKSHOP LEADER:**

**Gan Seng Chee** is a Partner with Ang & Partners since 1999. His clients include many international insurers and P&I Clubs, and MNCs as the assured. He has handled many cargo and hull claims, charterparty disputes, maritime fraud, and other shipping related matters. He also provides advice on insurance coverage and policy wording for the insurer and the assured. He is a Committee Member of the Maritime Law Association of Singapore, a Committee Member of the Singapore Shipping Association's Legal Committee, and an Adjudicator for Structured Products with the Financial Industry Disputes Resolution Centre Ltd (FIDReC).

**Workshop Timetable:** Registration starts at 8:30am; Workshop commences at 9:00am and concludes at 5:00pm. Workshop materials, lunch and refreshments will be provided.

## PROGRAMME ADVISORS:



**Christian Ott**  
AVP  
Skuld P&I Club, Hong Kong



**Derek Luxford**  
Partner, Transport, Trade & Energy  
Hicksons Lawyers, Australia



**Dennis Tan**  
Shipping Lawyer & Partner  
DennisMathiew, Advocates &  
Solicitors, Singapore

## WHO SHOULD ATTEND?

### ➤ Senior Management/Executives from:

- Government: Port Authority, Maritime Regulators from Enforcement and Regulatory
- In-House Counsels and Legal Officers Working in the Maritime Industry

### ➤ Senior Executives, MDs, GMs, CEOs, COOs from:

- Logistics Companies
- Ship Owners
- Traders
- Charterers
- Ship Agents
- Ship Management Companies
- Ship Repairers
- Ship Brokers
- Salvage Organisations
- Freight Forwarders
- Insurers – Handling Claims Arising from Maritime and Commercial Contexts

### ➤ Legal Counsels of Arbitration Centers

### ➤ Law Firms – Shipping Lawyers or Partners

### ➤ Shipping Managers of O&G and Energy Companies

### ➤ Maritime Schools/Institutions

### ➤ HSE Managers, Salvage Managers/Masters, Risk Managers, Insurance Managers, HR Managers of Shipping Companies

### ➤ MD/CEO

- Maritime Consultants
- Vendors and Software Providers
- Technology Providers

### ➤ Banks and Financial Institutions (Marine Heads)

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- Table-Top Display • Promotional Materials

FOR ENQUIRIES, CALL **CHRISTINE TJAHJADI**

**Tel: (65) 6536 8676 (Ext: 125)**

or Email: **christine.t@abf.com.sg**

## NAVIGATING TODAY'S MARITIME LANDSCAPE WITH BEST-PRACTICE SOLUTIONS AND CLEARER UNDERSTANDING OF LEGAL REQUIREMENTS

### Dear Colleagues,

The global shipping industry has seen dismal performance in the recent years, largely due to the global financial downturn as well as increasing threats and risks at sea. With signs of economic recovery, albeit slow, the global shipping industry is set to bounce back and poised to sail into good times in 2010. However, changing times have brought about new regulatory requirements, business expectations and strategic respositioning. It's time to be completely updated and be prepared for what is to come in maritime business.

Asia Business Forum is pleased to present the **5<sup>TH</sup> ANNUAL INTERNATIONAL MARITIME LAW 2010 CONFERENCE**. Themed **Capitalising on the Changing Maritime Business and Its Green Initiatives**, this Conference will explore the most recent developments in the international shipping and maritime law and how these developments impact the main shipping stakeholders. This Conference is poised to be a strategic platform for sharing best practices, new solutions and alternative ways to successfully manage legal challenges in time of financial recovery and emerging green shipping initiatives.

Attend this 2-day comprehensive knowledge-driven event and arm yourself with the latest international shipping law and standards to protect your business and avoid time-consuming and costly potential legal disputes.

I look forward to welcoming you at the Conference in Singapore!

Sincerely Yours,

*Christine Tjahjadi*

Senior Conference Manager

Asia Business Forum

## AN EVENT HELD DURING THE SINGAPORE MARITIME WEEK 2010

*"MCF Course Fee Subsidy is available for eligible participants. Please refer to [www.mpa.gov.sg/mcf](http://www.mpa.gov.sg/mcf) for more information."*



**CONFIRM YOUR SEATS NOW! REGISTER EARLY TO ENJOY SUPER EARLY BIRD SAVINGS & GROUP DISCOUNTS! SIGN UP TODAY FOR THIS EVENT OF THE YEAR!**

**Call: (65) 6536 8676 or Fax: (65) 6536 4356**

**Email: [cs@abf-asia.com](mailto:cs@abf-asia.com)**

## KEY BENEFITS OF ATTENDING

- ✓ **KEEP ABREAST** of the latest updates on the various International and Regional Shipping and Maritime Regulations
- ✓ **CAPITALISE** on the current business climate and set of laws in shipping sector
- ✓ **UNDERSTAND** the role of local maritime regulators in your shipping operations
- ✓ **SAFEGUARD** your the shipping business through understanding various insurance tools and P&I covers
- ✓ **UNDERSTAND** the recent trends and regulatory developments on marine pollution
- ✓ **COMPREHEND** the complex legal issues pertaining to second-hand ships
- ✓ **GAIN** practical tips in managing various shipping disputes and threats
- ✓ **MEET, SHARE and CONNECT** with other key players and legal experts in maritime industry around the world

# REGISTRATION FORM

**5<sup>TH</sup> ANNUAL INTERNATIONAL MARITIME LAW  
2010 CONFERENCE (28-29 APRIL 2010) &  
1-DAY POST-CONFERENCE WORKSHOP (30 APRIL 2010)**  
Royal Plaza on Scotts Hotel, Singapore

Yes! Please register the following delegate(s) for this Event  
(Please photocopy for more delegates)

Please tick (✓) your choice session(s)

- 2-Day Conference + 1-Day Workshop [ April 28-30, 2010 ]  
 2-Day Conference only [ April 28-29, 2010 ]  
 1-Day Workshop [ April 30, 2010 ]

I am unable to attend but please put me on your mailing list

I am interested in Sponsorship/Exhibition Opportunities

I wish to claim special discount as a member of

SCMA or  ACICA or  SCCA or  KLRCA

Membership no. \_\_\_\_\_ (please fax us your membership card)

Name:(Dr/Mr/Mrs/Ms): \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Email: \_\_\_\_\_

Name:(Dr/Mr/Mrs/Ms): \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Email: \_\_\_\_\_

Approving Manager: \_\_\_\_\_

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Email: \_\_\_\_\_

Company: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_

Booking Contact: \_\_\_\_\_

Email: \_\_\_\_\_

Nature of Business: \_\_\_\_\_

Company Web site: \_\_\_\_\_

## CONFERENCE VENUE AND ACCOMMODATION INFORMATION

**Royal Plaza on Scotts Hotel, Singapore**

25 Scotts Road, Singapore 228220

Tel: (65) 6737 7966 Fax: (65) 6737 6646

Website: [www.royalplaza.com.sg](http://www.royalplaza.com.sg)

Attn: Room Reservation Department

For reservations, please make your bookings directly with the hotel. To enjoy the special room rates, please quote Asia Business Forum's "5<sup>TH</sup> ANNUAL INTERNATIONAL MARITIME LAW 2010 CONFERENCE". Hotel bills are to be settled by delegates directly with the hotel. Hotel reservations and travel arrangements are the responsibilities of the registrant. Please note that hotel rooms are available on a first-come-first-served basis.

## INCORRECT MAILING INFORMATION

It is possible that you may receive multiple mailings of this event or incorrect company details on the labels, for which we apologise. If this happens, please let us know so that we can update our database immediately. If you do not wish to have your name on our mailing list, please let us know and we will remove it from our listing.

## FOR OFFICIAL USE

FEE RECEIVED

ADMISSION FORM SENT 2019S/CT/AC/SL

SCMA

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# 5 EASY WAYS TO REGISTER



Telephone: (65) 6536 8676 or (65) 6536 8437



Fax: complete and send this registration form to:  
(65) 6536 4356



Mail: this completed form together with payment to:  
**Asia Business Forum (Singapore) Pte Ltd**  
**3 Raffles Place #08-01 Singapore 048617**



Email: [cs@abf-asia.com](mailto:cs@abf-asia.com)



WEB: <http://www.abf-asia.com>

Your investment for attending this Conference is:

	<b>Super Early Bird Fee</b> (If Payment & registration are received by 26 February 2010)	<b>Early Bird Fee</b> (If Payment & registration are received by 26 March 2010)	<b>Regular Fee</b>
Conference Only	<b>SS\$2,395 + 7% GST*</b>	<b>SS\$2,595 + 7% GST*</b>	<b>SS\$2,795 + 7% GST*</b>
Workshop Only	<b>SS\$1,495 + 7% GST*</b>	<b>SS\$1,495 + 7% GST*</b>	<b>SS\$1,495 + 7% GST*</b>
Conference + Workshop	<b>SS\$3,590 + 7% GST*</b>	<b>SS\$3,890 + 7% GST*</b>	<b>SS\$4,090 + 7% GST*</b>

Note: \*GST is only applicable to Delegates from Singapore.

The fee includes lunch, refreshments and conference documentation.

**Group Discount:** Enjoy a group discount of **10% for 3 or more delegates** registered at the same time from the same organisation and of the same billing source.

## METHODS OF PAYMENT

Please cross cheque or bank draft made payable to **ASIA BUSINESS FORUM (Singapore) PTE LTD** and mail your payment together with this registration to **3 Raffles Place, #08-01, Singapore 048617**. Enclosed is our cheque/draft for S\$\_\_\_\_\_

Overseas delegates may pay by telegraphic transfer into the account of Asia Business Forum (Singapore) Pte Ltd which is: **Account No. 147-070312-001, The Hongkong and Shanghai Banking Corporation Limited, 21 Collyer Quay, #01-01 HSBC Building, Singapore 049320**. Please quote our reference no. **2019S** and your Company's name in your payment instructions.

**Payment by credit card:** To make payment by credit card, please call our customer service hotline at **(65) 6536 4356**

**Important Notice:** Payments are required with registration and must be received prior to the Conference to guarantee your place. Walk-in delegates will only be admitted on the basis of space availability at the Conference and with immediate full payment.

## CANCELLATIONS AND TRANSFERS

If you are unable to attend, a substitute delegate is welcomed at no extra charge. Please provide the name and the title of the substitute delegate at least 2 working days prior to the Conference. A refund less S\$300 administration charge will be made for cancellation received in writing on or before **8 April 2010**. Regrettably, no refund can be made for cancellation received after this date. A complete set of documentation will however be sent to you.

The organiser reserves the right to make any amendments and/or changes to the programme, venue, speaker replacements and/or topics if warranted by circumstances beyond its control.



# MARITIME CLUSTER FUND COURSE FEE SUBSIDY (CFS) APPLICATION FORM

- This form may take you 5 minutes to complete.
- You will need the RCB No. of the sponsoring company to complete this form.

Course Title : \_\_\_\_\_

Dates : \_\_\_\_\_

Name of Employee	Designation	Nature of Work	SC/ SPR*	NRIC/ Passport No.	Course Fee Paid

\* Please indicate "SC" if applicant is a Singapore Citizen, "SPR" if applicant is Singapore Permanent Resident

Business Entity Name: \_\_\_\_\_

RCB (Registry of Company Business) No: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Email Address: \_\_\_\_\_

Tel No: \_\_\_\_\_

Fax No: \_\_\_\_\_

I declare that the information given above is correct and true to my best knowledge. I have read and understood the eligibility criteria for the Course Fee Subsidy (CFS) stated below. If any of my employees is found to have failed to meet the eligibility criteria of the CFS, my company agrees to refund the subsidy to the Maritime and Port Authority (MPA) dutifully.

\_\_\_\_\_  
Authorised Signatory <sup>1</sup>

Name:  
Designation:

\_\_\_\_\_  
Business Entity's Stamp

## MCF COURSE FEE SUBSIDY

### Eligibility Criteria

1. CFS is only provided for MCF-approved courses (for information on MCF-approved courses, please log on to <http://www.mpa.gov.sg>) and application must be submitted to the Course Provider **before** the commencement of the course.
2. Participants must be Singapore Citizens or Permanent Residents;
3. Participants must be employees sponsored by business/organisations registered or incorporated in Singapore;
4. Participants must attain at least 75% attendance at the course; and
5. Business entities applying for MCF CFS for this course must not be receiving any other forms of financial training assistance [e.g. Skills Development Fund (SDF) or Skills Redevelopment Programme (SRP) etc] administered by other government bodies e.g. WDA or NTUC etc.

Participants and business entities must **strictly adhere** to the eligibility criteria stipulated above. MPA reserves the right to reject any application in the event of failure of participants/businesses to comply or observe any of the eligibility criteria.

<sup>1</sup> Must be signed by a senior executive other than the applicant, unless he/she is the CEO or an officer holding an equivalent position in the business entity/organisation.





## MARITIME CLUSTER FUND COURSE FEE SUBSIDY (CFS) APPLICATION FORM

### A) ELIGIBILITY CRITERIA

To be eligible for CFS,

- i. Participants must be Singaporean Citizens or Permanent Residents;
- ii. Participants must be employees of business entities / organisations registered or incorporated in Singapore;
- iii. Participants must be sponsored by the business entities / organisations to attend the course;
- iv. Participants must attain at least 75% attendance at the course;
- v. Participants must not be receiving any other forms of financial training assistance administered by other government bodies e.g. MAS or WDA etc;
- vi. Sponsoring business entities of the participants must submit the MCF CFS Application Form to the Course Provider before the commencement of the course;
- vii. Participants and business entities must **strictly adhere** to the eligibility criteria stipulate above. MPA reserves the right to reject any application in the event of failure from participants/businesses to comply or observe any of the eligibility criteria; and
- viii. The softcopy of the form can be found on the MPA website: [www.mpa.gov.sg/mcf](http://www.mpa.gov.sg/mcf).

### B) DISBURSEMENT OF CFS

CFS will only be disbursed to the eligible participants who meet the above attendance criteria upon the completion of the course. Course Provider will be required to submit the consolidated CFS Claim Form for all eligible participants on their behalf. The softcopy of the form can be found on the MPA website.

MPA will verify these claims before forwarding the subsidy payable to the Course Provider, who will disburse to the sponsoring business entities of eligible participants.

### C) MCF RANDOM AUDIT CHECKS

Courses given CFS will be subject to random audit checks by MPA. Course Providers will therefore be required to keep the necessary documentation i.e. participants' application forms and attendance sheets, for a period of **3 years**.

