

Shipping Law

According to the UN Conference on Trade and Development, Asia's share in global seaborne trade has reached 40%, positioning it as the primary region for maritime transport of all types including dry cargo, oil and gas, container and bulk. Increasing trade calls for new business models, a multi-stakeholder engagement approach and the creation of more complex risk structures.

ALB's **Shipping Law Masterclass** takes the complex web of charter contract and maritime risk management issues to the next level, addressing specific legal challenges with practical solutions. The event offers the shipping, legal, financial and insurance community an opportunity to find out about the latest developments in admiralty law and strategy, covering the latest trends in LNG chartering, charter party risk allocation, emergency/incident response and dispute settlement.



3 Public CPD points
 Practice Area:
Corporate/Commercial
 Training Level: **General**

SILE Attendance Guidelines:
 Participants who wish to claim CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. This includes signing-in on arrival and signing-out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to www.sileCPDcentre.sg for more information.

Book now at www.regonline.com/shipping_law

PROGRAM AGENDA

14:00

Registration

14:15

SESSION 1

LNG Charterers: overview and drafting tips

- Introduction to commercial contracts of carriage, ShellLNGTime 1, time and trip time charterparties and bespoke long term time charters
- LNG charter terms: operating (vessel condition, maintenance and performance) and structural issues (charter hire, off-hire, liabilities, termination and security)
- Devising bespoke contracts in the absence of a standard contract form
- Specific drafting tips

JOHN SIMPSON, *Partner*,
 Ince & Co Singapore LLP

Charterparty issues: from a Charterer's perspective

- Off-hire issues and underperformance claims: a comparison between NYPE 1946/93 and ShellLNGTime 1
- Allocation of cargo claim risk and liability: the NYPE Inter-Club Agreement

JONATHAN LIM, *Associate*,
 Ince & Co Singapore LLP

15:30

Refreshments

15:45

SESSION 2

Maritime accidents and the optimal emergency response

- Post-accident: advice on forensic and claims investigations.
- The extent of liabilities in marine casualties.
- Risk assessment: identifying common causes of maritime accidents and ways to prevent their occurrence.

JAMES DRUMMOND, *Senior Marine Mariner*,
 Ince & Co Singapore LLP

Part A - Ship Arrests: a comparative overview of ship arrests in Singapore and its neighbouring jurisdictions

Part B - An Overview of Statutory Liens

- Contextualising ship arrests: the reasons behind, the types of maritime claims and alternatives to arrest
- The legal principles underpinning ship arrest: the definition of an "arrestable vessel"
- The implications of Arrest Conventions 1952 and 1955
- Managing ship arrest across different jurisdictions

- Performing the procedure from pre-arrest to release: cost management, provision of security and the handling of competing/conflicting claims
- Understanding maritime and statutory liens

S MOHAN, *Joint Managing Director*,
 Incisive Law LLC

JOHN SIMPSON, *Partner*,
 Ince & Co Singapore LLP

Interactive Panel with Nick Fell, General Counsel, Senior Vice-President, Corporate Services, BW Maritime

Topics to be covered include

- Methods of financing the capital intensive shipping industry
- Issues to watch for in the sale and purchase of ships and in newbuilding contracts

Developments in maritime dispute resolution: The role of the SCMA

LEE WAI PONG, *Executive Director*,
 Singapore Chamber of Maritime Arbitration (SCMA)

17:30

End of Masterclass

Supporting Organisation



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ALB Supports



EXPERT SPEAKERS



JOHN SIMPSON - *Partner, Ince & Co Singapore LLP*

John joined Ince & Co London in 1999, moving to Ince Singapore in 2007. He specialises in the handling of litigation, arbitration and alternative dispute resolution with experience of English litigation and of arbitration in London and Singapore. He has supervised numerous multi jurisdictional disputes, where aspects of the matter need to be handled by foreign courts and lawyers in order to obtain security, enforce judgments and awards or obtain injunctions and other interim measures in support of proceedings in London and/or Singapore. As well as advising on disputes arising under building contracts and charterparties, John has handled a number of offshore casualty issues including the constructive total loss of a semi-submersible rig following a grounding, groundings and collisions between vessels involved in the offshore industry and the associated general average, salvage and insurance issues arising. John is experienced in LMAA, LCIA, ICC, SIAC, SCMA and ad hoc arbitrations in London and Singapore as well as proceedings in the High Court in London. John's experience also includes international insolvency issues and enforcement work in relation to asset finance disputes as well as hedging contracts, insurance disputes, international trade and commodities disputes and large scale engineering disputes.



JONATHAN LIM - *Associate, Ince & Co Singapore LLP*

Jonathan joined Ince Singapore in 2011 and is qualified to practice as a solicitor in England & Wales. He is also admitted as an advocate and solicitor in Singapore. Prior to joining Ince Singapore, Jonathan worked at a Singapore law firm on a wide variety of transactional corporate and commercial matters. Jonathan regularly advises on charterparties, carriage of goods, vessel construction disputes, marine casualties, FOB/CIF sale contracts and ship sale and purchase. He recently advised a state-owned oil and gas production company during its tender process and negotiations for the long-term charters of platform supply vessels and additional standby vessels. He has also assisted an offshore service provider in an arbitration of a complex dispute arising out of a contract for the refurbishment of a jack-up rig.



JAMES DRUMMOND - *Senior Marine Manager, Ince & Co Singapore LLP*

James is a Senior Marine Manager and he joined the Admiralty department of Ince & Co in 2003. Prior to that he spent 8 years at sea with the Royal Navy specialising in navigation and pilotage before coming ashore in 1996 to join the Operations and Claims department of a large London shipowner. During the following 7 years, James was involved with the commercial management of both tanker and dry cargo vessels and qualified as a Member of the Institute of Chartered Shipbrokers (MICS). He travels widely on a variety of matters including collisions, groundings, salvage, total loss, fire and pollution incidents including the Bunga Kelana 3 collision in the Singapore Straits, the B Oceania collision and subsequent sinking in the Malacca Straits, the Al Rawdah grounding off Batu Berhanti and the Vinalines Queen total loss off the Philippines, and is a member of our emergency response team.



S. MOHAN - *Joint Managing Director, Incisive Law LLC*

Mohan is a senior litigator, having been admitted to the Singapore bar as an advocate and solicitor in 1993. He regularly advises clients and appears as counsel before all courts and arbitral tribunals in Singapore on admiralty/maritime disputes, transportation, insurance (marine and non-marine), shipbuilding, energy and offshore, international trade and commodities disputes as well as general/commercial disputes. Mohan has advised and represented shipowners, charterers and P&I Clubs in relation to numerous maritime casualties including groundings, collisions and oil pollution incidents. Notable cases handled include the Evoikos/ Orapin Global collision in 1997, the Ever Glory/Hual Trinita collision in 1998 and the Bunga Kelana 3/Waily collision in 2010. On the shipbuilding, energy and offshore front, Mohan has acted for shipowners in shipbuilding disputes relating to issues of force majeure/delayed delivery, advising shipowners and shipyards in relation to enforcement of refund/advance payment guarantees, as well as advising contractors against rig/FPSO owners in relation to enforcement of claims for unpaid services. Mohan has also considerable experience acting for rig/FPSO owners and operators in relation to claims for unpaid milestone payments, enforcing cross-claims against builders for construction delays/defective construction, handling flag state investigations into deaths/personal injuries onboard rigs and more recently, acting for an owner of a dive support vessel which sank while undergoing refurbishments at a shipyard.



NICK FELL - *General Counsel, Senior Vice-President, Corporate Services, BW Maritime*

Nick Fell joined BW in 2012 as head of Corporate Services, holding responsibilities for Legal, Insurance, Corporate Secretarial, IT and Communications departments. He is admitted to practice law in England, New York, California and Hong Kong. Prior to joining BW, Fell was Chief Administrative Officer and General Counsel for AET Group (formerly known as American Eagle Tankers) based in London, where he led the Group's Legal, Risk Management and Compliance, HR and IT functions. From 1999 to 2005, Fell worked in San Francisco as In House Counsel at GATX Financial Corporation, where he was responsible for the shipping, aviation and technology businesses worldwide.



LEE WAI PONG - *Executive Director, Singapore Chamber of Maritime Arbitration (SCMA)*

Wai Pong oversees the management, development and growth of SCMA both in Singapore and Asia. During his seafaring career leading up to his master's qualification, Wai Pong sailed on a wide range of oceangoing ships. Prior to joining SCMA, he worked for a prominent Singapore ship owner and headed up the commercial management of their handy sized fleet of dry bulk carriers. His involvement and experience in shipping / arbitration spans over 40 years. Apart from being a Master Mariner, Wai Pong is a Fellow of the Singapore Institute of Arbitrators, the Chartered Institute of Arbitrators, the Institute of Chartered Shipbrokers and the Institute of Marine Engineering, Science and Technology. He is also enrolled as an Associate Mediator on Singapore Mediation Centre's Panel of Associate Mediators.

BOOKING DETAILS

Early bird – SAVE S\$200 Register before 5 August and pay only S\$388 +GST

- **Regular price** – S\$588 +GST
- **Group price** – SAVE AN ADDITIONAL 20% - Register five participants from your organisation and the 5th person attends for free

To book, visit the event website – (www.regonline.com/shipping_law)

For more information, please contact **Trang** at chuminh.trang@thomsonreuters.com or **(65) 6870 3711**