

Name: Timothy Elsworth

Date of Birth: 2 October 1957

**Nationality : British/Australian dual nationality.
Right of Abode in Hong Kong SAR**

Country of Residence: England

**Language(s): Spoken - English
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Profession :

Full-time Maritime Arbitrator and Mediator



Academic & Professional Qualification(s) :

Christ's College, University of Cambridge, B.A. in law 1979, M.A. 1983

Graduate Certificate in International Arbitration, National University of Singapore 2011

Solicitor Supreme Court of England and Wales 1983

Solicitor Supreme Court of Hong Kong 1988

Solicitor and Barrister Supreme Court of New South Wales and the High Court of Australia 2000

Professional Membership(s):

Fellow Chartered Institute of Arbitrators

Fellow Hong Kong Institute of Arbitrators

Fellow Singapore Institute of Arbitrators

Accredited Mediator, Centre for Effective Dispute Resolution (CEDR)

Law Society of England and Wales

Singapore Chamber of Maritime Arbitration (Panel Arbitrator)

London Maritime Arbitrators Association (Aspiring Full Member)

Inter-Pacific Bar Association - Former Chair of Maritime Law Committee and Council Member, Member of Dispute Resolution and Arbitration Committee and Maritime Law Committee

Career & Professional Experience:

Qualified as a solicitor in 1983 with Theodore Goddard

Sinclair Roche & Temperley, London 1984-1988 (solicitor)

Sinclair Roche & Temperley, Hong Kong and Shanghai 1988-1999 (partner from 1993)

Ebsworth & Ebsworth, Sydney 1999-2007 (partner)

Stephenson Harwood, Singapore 2008-2012 (partner)

Independent full-time Maritime Arbitrator and Mediator from 2013

Legal Knowledge relating to Shipping, Arbitration Practice and Procedure:

Over 30 years' experience as an international commercial and maritime lawyer handling contentious and non-contentious work worldwide.

Contentious: "Wet" and "dry" shipping and marine insurance litigation (court, arbitration, mediation including as counsel) involving multi-jurisdictional disputes, forum, liens, enforcement, security, limitation of liability, time-bar, injunctions, etc., including

- Collision, salvage, total losses, groundings, wreck removal, pilotage/port liabilities, tug and tow, machinery breakdown, fire, pollution, general average;
- Crew and passengers, repatriation, personal injury, loss of life, including pleasure craft, coronial Inquests and public enquiries;
- Charterparties (bareboat, time, voyage, slot) including seaworthiness, warranties, speed and consumption, bunkering, safe ports, NOR, laycan, laytime/demurrage, delay, hire/off-hire, delivery, withdrawal;
- Bills of lading, general cargo and commodities with associated aspects of seaworthiness, loss and damage, COGSA/Hague/Hague-Visby Rules, documentary credits;
- Sale of goods/trade practices, liner shipping conferences;
- Dangerous goods, hazardous/noxious cargos, quarantine;
- Multimodal transportation, logistics, freight forwarding, stevedores, ports, state control, customs;
- Classification society liabilities;
- Marine insurance – all aspects of hull, P&I, cargo policies;
- Shipbuilding including warranties, principals, contractors, sub-contractors;
- Mortgage enforcement and restructures including jurisdiction and forum, procedures, multiple ship arrests, judicial sales.

Non-contentious: Includes drafting and advising upon

- Freight forwarding terms and conditions, track and trace agreements, charterparties, bills of lading, commodities sale and purchase agreements, liner shipping terms, ship management agreements, crewing agreements, stevedoring agreements;
- Marine insurance policy wordings and terms, warranties, insurance risk analyses, insurance requirements for ship sale/purchase/financing, brokers' liabilities;
- Ship sale and purchase agreements, including warranty clauses, arbitration clauses and enforcement provisions.

Arbitration: Much of the above contentious work involved representing parties as counsel in court-ordered, ad hoc and institutional arbitrations under the rules of the LMAA, SCMA, Lloyds, SIAC, ICC and UNCITRAL, involving numerous jurisdictions including in particular England, Singapore, Hong Kong and Australia. Whilst resident in Singapore studied international arbitration at the University of Singapore and was awarded the Graduate Certificate in International Arbitration. As a full-time independent maritime arbitrator receives regular appointments as sole, presiding and panel arbitrator in ad hoc and institutional arbitrations predominantly on LMAA Terms but also under the SCMA Rules, ICC, etc. These involve a broad range of disputes concerning charterparties (including NYPE, Gencon, Asbatankvoy, Shelltime, Shellvoy, Supplytime, Orevoy, Shipman, Heavycon, BPVOY, Bargehire, etc.), laytime/demurrage, unpaid freight, withdrawal, liens, speed and consumption, unsafe ports, performance warranties, seaworthiness, bunker supply, bunker quality/contamination, salvage/towage, dangerous goods, stevedore damage, ship repairs, ship building and finance, engine/machinery breakdown, classification, transshipment, etc.

Lecturing and Speaking:

Lectured, chaired inter-active workshops and conducted seminars in Australia, Canada, China, Greece, Hong Kong, India, Japan, Malaysia, New Zealand, Singapore, South Korea and Philippines on

Arrest of Ships	Marine Insurance – Hull and P&I
Bills of Lading	Pollution
Carriage of Goods	Ports of Refuge/Safe Haven
Charterparties	Salvage/Wreck Removal
General Average	Ship Collisions
Maritime Arbitration	Tug and Tow
Maritime Disaster Claims/ Management	

involving teaching at university, vocational college, the courts and commercial venues, supervision of student projects, presentation of professional training courses, in-house teaching for clients and staff and speaking at international conferences. Lecturer in maritime law at University of Sydney. Lecturer on legal issues for Australian Chamber of Shipping (now Shipping Australia) shipping courses.

Publications:

Articles in various publications including Lloyds List, The Asian lawyer, Seaview and the Shipping Australia Review of Shipping. Formerly editorial board member for Seaview, the magazine of the Institute of Sea Transport and of the Transportation and Shipping Lawyer magazine.