

Informa Connect

# Academy



## Chartering Negotiations

Complex Issues, Key Clauses, Risks, Claims, Dispute Resolution and more

LIVE ONLINE TRAINING | 23 - 26 April 2024 | 22 - 25 October 2024



Live Digital

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# Course Information

## Live Online Training

23 - 26 April 2024

Part 1

23 Apr

Part 2

24 Apr

Part 3

25 Apr

Part 4

26 Apr

12pm - 4pm SGT

22 - 25 October 2024

Part 1

22 Oct

Part 2

23 Oct

Part 3

24 Oct

Part 4

25 Oct

11am - 3pm SGT

## Key Learning Objectives

- Learn about the duty of care and performance obligations of shipowners and charterers
- Understand common problems with the charterparty period
- Know how to negotiate important clauses: what really matters
- Key steps for managing claims and losses
- How to manage risk that may lead to disputes
- Understanding the various methods of resolving disputes
- Explore critical elements including:
  - Payment of hire and remedies for non-payment
  - Employment orders
  - Performance claims
  - Off-hire clauses
  - Laytime and demurrage
  - Deviation and liberty clauses
  - Common issues in charterparties – liens, dangerous goods, safe ports and paramount clauses

## Who Will Benefit

- Ship owners and managers
- Charterers, including importers, exporters and traders
- Shipbrokers
- Port and ship agents
- P&I personnel
- Logistics and shipping professionals
- Legal advisers, solicitors and barristers
- Freight forwarders
- Government bodies and representatives

## Meet Your Course Director



**Jeffrey Blum** (FICS, FCI Arb)

Jeffrey Blum's involvement in shipping and trading spans nearly 50 years. He is the fourth generation of a shipping family, has been an active member of the Baltic Exchange since 1976 and has worked with a Lloyd's underwriter and as a shipbroker, ship owner and operator, gasoil futures broker, charterer and commodities trader in London and abroad. He achieved Fellowship of the Institute of Chartered Shipbrokers by examination in 1979 (3rd place globally) and since 1983 has served on the London & South East Branch Committee, including as its Education Officer since 2000, Chairman 2005-2007 and again Vice Chairman 2015-2017. as well as having served on the ICS International Controlling Council, the International Membership Committee and the UK & Ireland Zone Committee and now serving on the International Education Officers Committee.

Jeffrey has been a Fellow of the Chartered Institute of Arbitrators since 1997 (Honorary Associate since 1979) and has been an arbitrator (both sole and tribunal) under the Terms of both the London Maritime Arbitrators Association (LMAA) since 1994 and the Singapore Chamber of Maritime Arbitration (SCMA) since 2019. A member of the Baltic Exchange since 1976, he has been an expert witness since 1983 and is the Chairman of the Baltic Expert Witness Association (BEWA). He is a panelist arbitrator on and has served on the governing Council of the International Commodity and Shipping Arbitration Service (ICSAS) since its creation in 2005.

Since 1984 he has been lecturing on maritime commercial subjects and law at universities and colleges throughout the UK. Since 2002 he is the founder director and principal lecturer of METL (Maritime Education & Training Ltd), a college in central London which prepares examinees for the ICS worldwide exams in eight core subjects. Since 2007 he is a Visiting Professor at the UN IMO's World Maritime University in Malmo and at the Shanghai Maritime University and is a frequent presenter at conferences and masterclass workshops worldwide. For many years he has contributed to trade magazines and books and is currently editing the 12th edition of a long-established textbook on Chartering. Jeffrey provides maritime and commodities commercial claims consultancy and training through Interlink International Trading (UK) Ltd which he founded in 1994. His clients include oil majors, commodity traders, shipowners, P&I Clubs, shipbrokers, law firms, banks, governments and international shipping organisations.

# Course Information

## Course Outline

### About the Course

Effective vessel chartering, as well as post-fixture operations, require a thorough knowledge of the commercial and legal aspects involved in the carriage of cargoes. All parties involved in negotiating charterparties need a firm understanding of practical issues, including owners' & charterers' duties, payment of hires, laytime, and demurrage, among others.

This chartering negotiations training offers attendees first-hand legal and operational know-how for improving charterparty agreements, resolving common problem clauses that cause disputes and maximising operational efficiency. Latest issues and case studies are scrutinised to give delegates an edge when managing or handling their respective charterparties.



*"Trainer provided actual facts with clear-cut explanations in "plain English" and helped me interpret difficult concept. I'd have loved to have extra time on this course"*

**Operations Manager, DK Ship Chartering**

### MODULE 1

#### GENERAL INTRODUCTION

- Formation of contracts under English law
- Express and implied terms
- Warranties & conditions & innominate/intermediate terms
- The relationship between the contract of sale, the charter party and the bill of lading
- The negotiation and formation of the charter party contract

#### NEGOTIATION TECHNIQUES

- Role of shipbrokers
- Law of agency and warranty of authority
- "Subjects"

### MODULE 2

#### VOYAGE CHARTERS THE SHIPOWNERS' DUTIES

- Hague-Visby Rules: Particularly Articles 3 and 4
- Cancellation clauses

#### THE CHARTERERS' DUTIES

- Provide cargoes, correctly described
- Pay freight/dead freight/demurrage/damages for detention
- Port nominations, including safe port

### VOYAGE ESTIMATING

- Basic techniques and necessary data

### LAYTIME AND DEMURRAGE

- Introduction – why it needs to be included in negotiations

### MODULE 3

#### TIME CHARTERS

- Time charter duration and re-delivery
- Last Voyage Clauses
- Express and implied tolerances
- Payment of hire/on time/withdrawal/grace period
- Permitted deductions

### VESSEL EMPLOYMENT ORDERS

- Employment v navigation and safety, incl "HILL HARMONY"
- Orders which a master must or may refuse
- Who is responsible for cargo operations and stevedore damage?

### MODULE 4

#### PERFORMANCE CLAUSE

- Why is this clause of paramount importance?

- Types of paramount clauses used in bills of lading
- Types of paramount clauses used in charter parties

### COVID-19: C/P LIABILITIES, RISK MITIGATION CLAUSES

- Responsibilities for delays caused by Covid-19
- Consequences of crew illnesses
- Free pratique/quarantine issues
- Safe port warranties
- Charterers' requirements to provide alternative voyage orders
- Implied indemnity for following charterers' voyage orders
- Force Majeure and contract frustration
- 'Coronavirus' clause
- Additional Vetting Inspection Clause

### DISPUTE RESOLUTION CLAUSES

- The importance of negotiating various methods of resolving disputes
- Early neutral intervention/mediation/arbitration/litigation
- Which law applies to what

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## Easy Ways to Register



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## Chartering Negotiations

Course Code	Location/ Format	Course Parts	Course Dates	Standard Price	<b>2 + 1 Offer:</b>
P24GT35SGV	Live Digital	All 4 Parts	23 - 26 April 2024	<b>SGD \$2,995</b>	Enroll for two participants, and the third one attends for <b>FREE!</b> Contact us now at <b>+65 6989 6507</b> or email <b>sgtraining@informa.com</b> to take advantage of <b>2+1 Offer today!</b>
P24GT35SG02V	Live Digital	All 4 Parts	22 - 25 October 2024	<b>SGD \$2,995</b>	

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## ABOUT INFORMA CONNECT ACADEMY

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# Academy

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