

Informa Connect

# Academy



## Ship Arrest

Understand the ship arrest procedure and how to resolve this issue effectively with real-world case studies and examples.

SINGAPORE | 7 - 8 March 2024 | 18 - 19 July 2024



Attend In-Person

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# Course Information

Face to Face Training

SINGAPORE

7 - 8 March 2024 | 18 - 19 July 2024

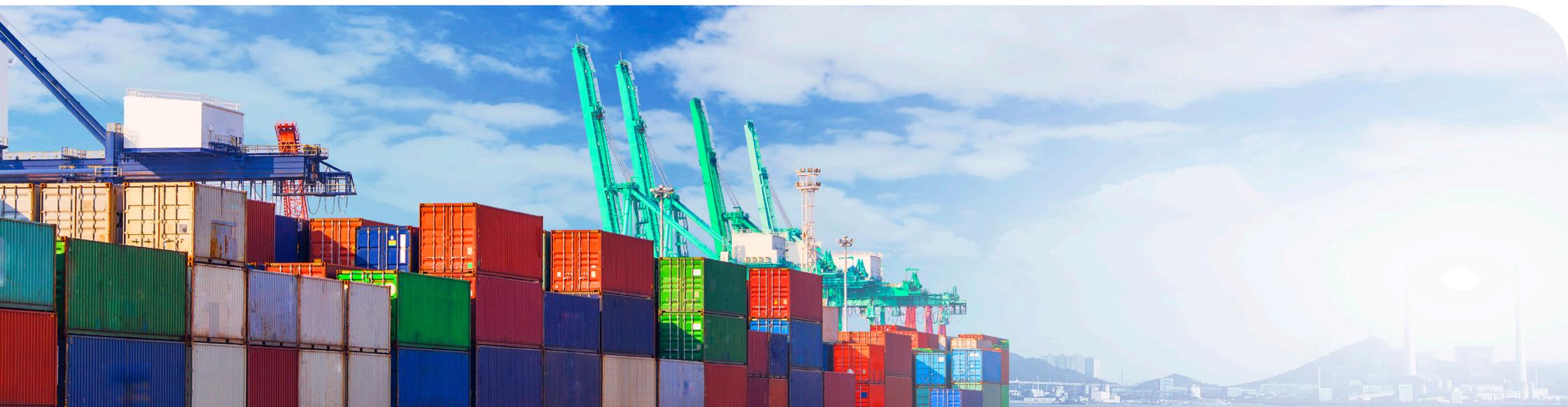
## Key Learning Objectives

- Bankruptcy proceedings by owners and implications
- The UNCITRAL Model Law on Cross-Border Insolvency, including Singapore's adoption of it
- Practical Issues in arresting a ship
- Freezing injunction compared with ship arrest
- Find out the procedures for arrest in various jurisdictions
- Become aware of other important issues, including claims for wrongful arrest, arresting bunkers, and caveats against arrest and release
- Case studies from the UK, Singapore, Hong Kong, USA, Australia and South Africa

## Who Will Benefit

Ship owners, managers and operators, charterers and cargo owners, port authorities, financiers, insurance, shipping, and legal services will find the ship arrest training courses useful, including:

- Underwriters, Claims and Insurance Managers
- Finance Managers and Financial Controllers
- Partners, Solicitors, Maritime Lawyers, Legal
- Advisers and In-house Counsel
- Credit Control Managers and Credit Analysts
- Commercial and Risk Managers
- Recovery Specialists
- Corporate Bankers



# Course Information

## Meet Your Course Director

### About the Course

Ship arrest is an excellent way to get security for a claim and potentially prepare for a judicial sale of the vessel. This may be a suitable remedy for a variety of creditors, such as owners that need to repossess the vessel under the charter party, bunker suppliers that have not been paid, a bank that has terminated the loan facility and wishes to draw on its mortgage, or crew members that have outstanding wages.

At this training course, attendees will learn the laws and procedural rules of the arrest of ships in Singapore, Hong Kong, the UK, the US, Australia and South Africa. The course will examine the types of claims that can lead to arrest and assess the admiralty jurisdictions in different parts of the world.

The ship arrest training course also combines lectures, discussions, and practical case studies relating to ship arrests, which aim to demystify legal terms and issues, explain the practicalities of arrests, and highlight pitfalls and solutions to manage them better.



**Professor Martin Davies**

Member, INTERTANKO Documentary Committee

Maritime Law and Director of the Maritime Law Center, Tulane University Law School, USA; Consultant to Norton Rose Fulbright, an international law firm.

Martin Davies is author (and co-author) of text books on maritime law, international trade law, conflict of laws, and the law of torts. He has taught maritime law at universities in the United States, Australia, China, Singapore and Italy. He frequently speaks at conferences and seminars around the world. He also has extensive practical experience as a consultant in maritime matters and general international litigation and arbitration.

Martin has advised on cargo claims, arrest and admiralty matters, drafting bills of lading, sea waybills and charterparties, collisions and limitation of liability, oil pollution, salvage, marine insurance, maritime arbitrations and international sale of goods. He is a member of the Documentary Committee of Intertanko.



*"It's very informative and helps me reexamine the strengths of our claims. The procedure required for an arrest, corporate veil, and fundamental of shipping law are critical learning outcomes"*

**Violet Mendes, Credit Control Manager, Sinwa (S) Pte Ltd**

*"It's a commonly disputed issue in the industry and a buzzword but rarely any course like this has been organised. Professor Davies was very well-prepared and presented the fundamentals and case studies clearly, making it easy to follow"*

**Glenna Ge, Senior Manager, Bao-Island Enterprises Ltd**

# Course Outline

## MODULE 1

### PRACTICAL ISSUES IN ARRESTING A SHIP

- Ship arrest procedures and processes
- Evaluating the strength of claims
- Jurisdiction choices
- Post-arrest considerations

### THE IMPLICATIONS FOR CREW MANAGEMENT

- Crew assessment and retention
- Pay, immigration and medical considerations
- Appointment of custodians and what to expect from them

### FREEZING INJUNCTION COMPARED WITH SHIP ARREST

- The main differences
- What to use when
- Limitations and advantages of each

## MODULE 2

### WHAT TYPES OF CLAIMS CAN LEAD TO ARREST? WHAT CONNECTION MUST THERE BE BETWEEN THE DEFENDANT AND THE ARRESTED SHIP?

(UK-derived jurisdictions: the UK, Singapore, Hong Kong, Australia, New Zealand)

- Which claims fall within the admiralty jurisdiction?
- What are the procedural rules for the arrest of ships?
- What types of ships can be arrested?
- How quickly can an arrest be effected?
- Counter-security requirements
- The concept of “relevant person” and the required connection between the “relevant person” and the arrested ship

### WHAT TYPES OF CLAIMS CAN LEAD TO ARREST? WHAT CONNECTION MUST THERE BE BETWEEN THE DEFENDANT AND THE ARRESTED SHIP?

(USA)

- Which claims fall within the admiralty jurisdiction
- The doctrine of personification – the ship itself as the defendant rather than the “relevant person”

### GETTING THE ARREST WARRANT AND HAVING THE ARREST SET ASIDE

- How much does the plaintiff have to show to get the ship arrested?
- What connection must the plaintiff prove between the “relevant person” and the ship?
- What must be done to satisfy Constitutional requirements about due process in the USA?

#### CASE STUDIES:

- *On what claims fall within the admiralty jurisdiction*
- *On the degree of connection required for arrest*
- *On the strength of the claim, the plaintiff is required to show for an arrest*

## MODULE 3

### SURROGATE/ASSOCIATED SHIP ARREST AND RULE B ATTACHMENT

When can another ship be arrested to secure a claim against a wrongdoing ship? (UK-derived jurisdictions: the UK, Singapore, Hong Kong, Australia, New Zealand)

When can other property be attached to secure a claim against the defendant? (USA)

## MARITIME LIENS AND PRIORITIES

- Who gets paid first?
- What is the order of priorities of payment from an in-rem fund?
- What maritime liens are recognised?

## MODULE 4

### BANKRUPTCY PROCEEDINGS BY OWNERS AND IMPLICATIONS

- Knowing the bankruptcy and admiralty law interface points
- Legal implications in various jurisdictions
- Conflicts over liens
- Chapter 15
- What has the Hanjin case told us
- The UNCITRAL Model Law on Cross-Border Insolvency, including Singapore’s adoption of it

### MISCELLANEOUS ISSUES

- Claims for wrongful arrest
- Arresting bunkers
- Caveats against arrest
- Caveats against release

#### CASE STUDIES:

- *On surrogate ship arrest*
- *On Rule B attachment in the USA*
- *On priorities of claim*

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Easy Ways to Register



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## Ship Arrest

Course Code	Location/ Format	Course Dates	Early Bird price valid until SG - 16 Feb 24 SG02 - 28 Jun 24	Standard price valid after SG - 16 Feb 24 SG02 - 28 Jun 24	<b>Great Savings:</b> When you book 4 or more participants! <b>Call us</b> today on <b>+65 6989 6507</b> or email <b>sgtraining@informa.com</b> to take advantage of the discount offers.
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## ABOUT INFORMA CONNECT ACADEMY

**Informa Connect**

# Academy

**Informa Connect Academy** is a premier provider of global education and training solutions that caters to a diverse range of professionals, industries, and educational partners. We are dedicated to promoting lifelong learning and are committed to offering learners expert guidance, training, and resources to help them stay competitive in a rapidly changing world.

Our comprehensive range of courses and programmes are tailored to meet the needs of all professionals, from aspiring specialists to seasoned experts. We partner with elite academic organisations and industry leaders with unmatched expertise in their respective fields to deliver an exceptional learning experience.

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Speak with **Sushil Kunwar** on **+65 6989 6620** to discuss your customised learning solution, or email [sginhouse@informa.com](mailto:sginhouse@informa.com)

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