

This event is jointly organised by



CERTIFICATE COURSE AS AN INTRODUCTION TO MARITIME LAW

24 - 26 July 2018, AIAC
(formerly known as KLRCA)
Kuala Lumpur, Malaysia



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SPECIAL EARLY BIRD RATE AT

BEFORE/ON
30TH JUNE 2018

RM 2,888.00

BACK BY POPULAR DEMAND

IMSM and AIAC are collaborating once again to conduct a 3 day Certificate Course as an Introduction to Maritime Law. This intensive and value for money course is meant to enhance and develop your knowledge of the principles and practice of maritime law. You will learn the function, scope and application of maritime law and the key legal concepts in contracts of sale, marine insurance, marine claims, charter parties, salvage and admiralty. Participants will receive practical guidance from top ranked maritime experts who will explain the key principles and equip them with an understanding of the complex laws and contracts surrounding the maritime industry.

THIS COURSE IS



UNDER THE SBL SCHEME

THIS COURSE IS



CPD CODE

T2/2426072017/IMSM/KL181047/10

VENUE

Seminar Room 1 (Pavilion)
Asian International Arbitration
Centre (AIAC)
formerly known as KLRCA
Bangunan Sulaiman
Jalan Sultan Hishamuddin
50000 Kuala Lumpur

SUBSIDIZED COURSE FEE

The course fee is valued at MYR 5,000.00. With government subsidy provided, eligible participants are required to pay only **MYR 1,500.00**. The subsidy is applicable for delegates who are Malaysians and carrying on business in Malaysia.

TIME & DATE

24 - 26
JULY 2018
9AM - 5PM



INTERNATIONAL MALAYSIAN SOCIETY OF MARITIME LAW
Bangunan Sulaiman, Jalan Sultan Hishamuddin
50000 Kuala Lumpur, Malaysia
Tel : +603 2271 1000 | Fax : +603 2271 1010
Email : secretariat@imsml.org
www.imsml.org | A Single Voice for Maritime Malaysia

REGISTER ONLINE

www.imsml.org/iml2

Tel : +6012 267 8711 | Fax : +603 2271 1010
e-mail : secretariat@imsml.org

Module 1 English Maritime Law and sources

- ▶ English law/common law (basics sources and methods of English law and its application in a shipping context, judicial precedent and the legal system)
- ▶ Malaysian law : key features

International standards

- ▶ International Maritime Organisation (IMO)
- ▶ The United Nations Convention on Contracts for the International Sale of Goods (CISG)
- ▶ Comité Maritime International

Module 2 Charterparties and Bills of Lading

- ▶ Charterparty Fixtures and 'sub details'; rider clauses, safe ports; dangerous goods; seaworthiness; classification; delivery and redelivery; hire; freight, laytime and demurrage; liens
- ▶ International Trade and the tender of shipping documents under cif and fob contracts
- ▶ Key concepts on the passing of property in goods
- ▶ Letters of credit; endorsing the bill of lading to on-buyers
- ▶ UCP 600 Incoterms 2010
- ▶ Cargo Claims
- ▶ Bills of lading and other shipping documents
- ▶ Title to sue
- ▶ The Inter-Club NYPE Agreement 2011
- ▶ The terms of the carriage contract; common bill of lading clauses;
- ▶ Charterparty bills of lading; identity of the carrier; Hague and Hague-Visby Rules; the bill as a receipt; clausing of bills; the Rotterdam Rules

Module 3 Marine Insurance

- ▶ Basics introduction to the London and international marine insurance markets, overview of the Marine Insurance Act, 1906 and recent reforms
- ▶ Placing marine insurance
- ▶ Role of Brokers
- ▶ Utmost good faith and fraudulent claims
- ▶ Cargo Insurance
- ▶ Hull and Machinery Insurance
- ▶ P&I Clubs
- ▶ Subrogation
- ▶ Sue and Labour

Module 4 Admiralty and Enforcement of Maritime Claims

- ▶ The law applicable to maritime claims
- ▶ Exercise of jurisdiction
- ▶ Claims in personam and claims in rem
- ▶ Maritime liens
- ▶ Ship arrest
- ▶ Conflicts of claims and priorities
- ▶ Sister ship arrest
- ▶ Arbitration Act 2005 (amended 2011)
- ▶ Injunctions

Module 5 Maritime Casualties and Limitations of Liability

Salvage, Towage and Wreck

- ▶ The 1989 Salvage Convention
- ▶ Standard Forms for Salvage Agreements
- ▶ Environmental Claims and expenses
- ▶ SCOPIC Clause
- ▶ Key features through case law (e.g. voluntariness, 'No cure, No pay')
- ▶ Wreck Removal
- ▶ Towage liabilities
- ▶ Standard towing conditions

General Average

- ▶ Concept and legal framework
- ▶ Key features through case law (e.g. common danger)
- ▶ Documentation

Ports & Pilotage

- ▶ Powers, rights and liabilities of harbour authorities
- ▶ Duties in relation to pilotage
- ▶ Duties of pilots and masters

Collisions

- ▶ Principles of Liability
- ▶ Pollution Liabilities
- ▶ CLC and Fund Protocol 1992
- ▶ Supplementary Fund Protocol 2003
- ▶ Bunker Pollution Convention 2001 and HNS Convention
- ▶ Key features through case law

Limitation of liability

- ▶ The concept of limitation and types of limitation, (global and special)
- ▶ Focus on specific legal instruments (e.g. The 1976 London Convention (LLMC), as amended by the 1996 Protocol

Module 6 Ship Sale and Purchase and Finance

- ▶ The commercial and economic background
- ▶ The parties involved in sale and purchase and their roles
- ▶ Standard Forms and Contracts
- ▶ Description
- ▶ Inspection
- ▶ Payment
- ▶ Delivery process
- ▶ Default by the Buyer and Seller
- ▶ Financing Considerations
- ▶ Protocol of Delivery and Acceptance
- ▶ Registration
- ▶ Dispute resolution

Module 7 Dispute Resolution

Litigation

- ▶ Understanding the traditional tools of imposition and enforcement
- ▶ Advantages and disadvantages

Arbitration

- ▶ Concept
- ▶ How does it work?
- ▶ Legal framework
- ▶ Enforcement

ADR techniques: rationale and legal framework

- ▶ The concept of ADR
- ▶ Mediation, including commercial mediation: rationale and techniques used

COURSE CONTENTS



ASIAN INTERNATIONAL ARBITRATION CENTRE
(Formerly known as KLRC)

EARLY BIRD
30th JUNE 2018

Tel : +6012 267 8711 | Fax : +603 2271 1010
e-mail : secretariat@imsml.org

COURSE DIRECTORS



Sitpah Selvaratnam
Consultant, Tommy Thomas

Sitpah Selvaratnam. Advocate & Solicitor of the High Court of Malaya, Barrister-at-Law, Lincoln's Inn; Arbitrator. Qualified in 1988 with a First Class Honours degree in law from the University of Wales, Cardiff, and in 1991 with a LLM from the University of Cambridge. Conferred a Diploma in International Commercial Arbitration by the Chartered Institute of Arbitrators in 2008, upon completion of study at Keble College Oxford. Practicing law in Malaysia since 1991, focused on corporate insolvency, commercial and shipping litigation and disputes. Has represented diverse Malaysian and foreign corporations and commercial interests; including shipowners, commodity traders, port operators, Protection and Indemnity Clubs, insurers, financial institutions, Malaysia's national asset management corporation, and securities commission. President of the International Malaysian Society of Maritime Law (IMSML). Chair of the Shipping and Admiralty Law Committee of the Malaysian Bar Council. Co-Chair of International Arbitration Committee of IADC. Fellow of the CIArb and the MI Arb. Member of the Panel of Arbitrators of KLCRA, SIAC and SCMA. Supporting member of LMAA. Regularly appointed as Arbitrator in international, regional and domestic references on commercial, international trade and shipping disputes.



Ong Chee Kwan
Partner, Christopher Lee Ong

Chee Kwan was an ASEAN Scholar and immediately after graduation from the National University of Singapore, he joined a leading law firm in Singapore.

Chee Kwan has over 25 years of experience in corporate commercial disputes, construction contracts dispute, receiverships, insolvency practice and disputes relating to shares and securities, litigation on shipping matters involving marine insurance, international trade and charter-party disputes, bill of lading disputes, arrest of ships and cargo claims. Chee Kwan has also acted as an arbitrator as well as counsel for parties involved in arbitration proceedings (both domestic and international) and has been a speaker in numerous conference papers on shipping and arbitration.

Chee Kwan is also the Vice-President of the International Malaysian Society of Maritime Law (IMSML).



Jeremy M Joseph
Partner, Joseph & Partners

Jeremy originally a marine insurance broker, Jeremy has knowledge of the shipping and insurance industry. His first position in law was at the Singapore office of the international firm Holman Fenwick & Willan where he worked as an associate for several years until he set up Messrs Joseph & Partners in Kuala Lumpur. His firm has been consistently ranked in the top category every year since 2010 as a leading Malaysian shipping law firm by international law publications, such as Legal 500 and Chambers Asia. The firm has also bagged the prestigious "ALB Malaysia Law Awards" for Maritime Law Firm of the Year three years in a row. The awards are hosted by Asian Legal Business and Thomson Reuters.

Jeremy has also written and published extensively on various shipping law issues and handled many maritime disputes in court and arbitration tribunals. He is the Honorary Secretary of the International Malaysian Society of Maritime Law (IMSML).



Wan Hilwanie
Partner
Ariff & Co

Wan Hilwanie Ariff is the managing partner of ARIFF & CO. She focuses mainly on corporate banking work and specialises in shipping law and handles all shipping matters of the firm in particular ship financing, sales and purchase of vessels, shipbuilding contracts and other noncontentious shipping legal work.

She is currently the Treasurer for the International Malaysian Society of Maritime Law (IMSML).



Dr Irwin Ooi
Senior Research Fellow, Malaysia
Institute of Transport (MITRANS)

Dr Irwin Ooi graduated with postgraduate degrees in Maritime and Shipping Law from Cardiff University. He is currently an Associate Professor of Maritime and Transport Law at the Faculty of Law, Universiti Teknologi MARA (UiTM) Shah Alam and seconded to the Malaysia Institute of Transport (MITRANS) as the Head of the Institute's Legal Department. Dr Ooi's articles on Shipping Law, Multimodal Transport and Marine Insurance can be found in subscription databases such as LexisNexis or freely on the Internet, e.g. Australia and New Zealand Maritime Law Journal.

He is a member of several national advisory bodies, e.g. the Admiralty Court and Maritime Law Reform Task Force and the Malaysian Logistics and Supply Chain Council. Dr Ooi is a Chartered Member of the Chartered Institute of Logistics and Transport Malaysia (MCLTL).



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24TH TO 26TH JULY 2018

ASIAN INTERNATIONAL ARBITRATION CENTRE (AIAC)
KUALA LUMPUR, MALAYSIA



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REGISTRATION FORM

Each form is valid for **one delegate only**.
Use only capital letters

Certificate Course As An Introduction To Maritime Law	MALAYSIANS Register & Pay On/Before 30th June 2018	Register & Pay On/Before 30th June 2018	Register & Pay AFTER 30th June 2018
Registration Fee	RM 1,500.00	RM 2,888.00	RM 3,176.80

Practising Lawyer Judge/Magistrate Professional Association Corporate Sector Government Agencies Others

Preferred Name for Name Tag

Full Name (as in Passport / Identity Card)

Job title Email Address

Institution/Company

Address

Address 2

City Postcode

Country Mobile Contact

Telephone Fax

Payment Particulars

We enclose cheque payable to "International Malaysian Society of Maritime Law"

Payment via bank-transfer (slip enclosed)

Payment by cheque and bank draft in RM should be made in favour of "International Malaysian Society of Maritime Law" and mailed to :

International Malaysian Society of Maritime Law
Bangunan Sulaiman
Jalan Sultan Hishamuddin
50000 Kuala Lumpur

Payment by bank/telegraphic transfer in RM must be made to :

International Malaysian Society of Maritime Law
A/C No : 8008873364
CIMB BANK (M) BERHAD

Plaza Damansara
Kuala Lumpur
Swift Code : CTBBMYKL

Credit Card Payments

Please complete registration details and have it sent to our email at secretariat@imsml.org. Please do not send payment details via email.

✓ I have read the Terms and Conditions as outlined on Course brochure and agree to adhere to them.

Signature

Date



CPD CODE
T2/2426072017/IMSML/KL181047/10

Website Online Registration
www.imsml.org/impl2

E-Mail
secretariat@imsml.org

Telephone
+6012 267 8711

Fax
+603 2271 1010

Contact Person
Sean Tan

A. CANCELLATION POLICY

You may cancel your place on the Course by giving notice in writing to the Secretary up to (and including) 7 days from the date IMSML confirms your acceptance to the Course. You will not be liable for the payment of any fees and any fees already paid to IMSML for the Course will be refunded. IMSML regrets that no refunds can be given for any cancellation notice it receives after 7 days from the date IMSML confirms your acceptance and in any event after the first day of the Course and, in such circumstances, the full fees remain payable by you to IMSML.

B. COLLECTION OF PERSONAL DATA

"Your Personal Data" which we process may include information which you have previously provided us with or may subsequently provide to us, concerning your personal details (such as address, email, phone numbers), occupation details (such as job title) and such other personal information that we may process from time to time. You are entitled to withdraw your consent to the processing of your Personal Data at any point in time by notifying us in accordance with Section C below. However, please note that notwithstanding the withdrawal of your consent, we may still proceed to process your Personal Data in circumstances recognized and permitted by law.

C. ACCESS AND INQUIRIES

Subject to any exceptions under applicable laws, you may at any time hereafter make a written request for access to, or for correction or rectification of your Personal Data or limit the processing of your Personal Data by contacting: International Malaysian Society of Maritime Law, Bangunan Sulaiman, Jalan Sultan Hishamuddin, 50000 Kuala Lumpur. Tel:+603 2271 1000, Fax : +603 2271 1010 and email at secretariat@imsml.org.

D. GENERAL

This Notice may be updated from time to time without prior notice to you. By continuing to communicate with us or by continuing to use our services following modifications, updates or amendments to this Notice, this shall signify your acceptance of such modification, updates or amendments.