

UNIVERSITY OF
Southampton

WATERTIGHT

INSTITUTE OF MARITIME LAW

14TH INTERNATIONAL TRADE ON
SHIPMENT TERMS COURSE

14–16 June 2017



The extreme swings in commodity prices over the last few years have seen a number of important bankruptcies and a general surge in defaults and therefore disputes in the international sale of goods. The imposition and lifting of sanctions has also affected a number of markets substantially. As ever, parties wishing to walk away from contracts against a fluctuating market will seek to take advantages of the chinks between the sale contract, the carriage contract, the bills of lading, the letter of credit and the other documents in the transaction. What needs to be done, at the time of concluding the deal and during execution, in order to minimise the risks of default? What needs to be done, after performance to minimise the loss?

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The different contracts involved in any export trade – sale, carriage, insurance, trade finance – are typically covered in separate courses. Real disputes, however, combine aspects of all four contracts.

- Is the bill of lading or the insurance certificate an open “good tender” under the CIF contract or the letter of credit?
- Has the letter of credit been opened in time under the sale contract?
- Can the seller recover demurrage from his buyer when he has time-chartered the vessel?
- Does retention of title work as sufficient guarantee for payment?
- Are electronic documents truly easier and safer to use?

This course recognises this complexity by concentrating on how disputes can arise when the four contracts do not match, back-to-back.

Since this course was last held in London in 2015 by the Institute of Maritime Law, a number of signal cases have been decided by the Courts including:

PST Energy 7 Shipping v OW Bunker Malta (The Res Cogitans) [2016] UKSC 23

Bunge v Nidera [2015] UKSC 43

Volcafe Ltd and Others v Compania Sud Americana De Vapores Sa [2016] EWCA Civ 110

Ramburs Inc v Agrifert Sa [2015] EWHC 3548 (Comm)

Glencore International AG v MSC Mediterranean Shipping [2015] EWHC 1989 (Comm)

- Making the sale contract: confirmations and standard forms.
- CIF, FOB and the INCOTERMS 2010 rules.
- When do risk and property pass from seller to buyer?
- Fixing freight: what is a reasonable contract of carriage?
- What goods must the seller ship?
- Notice of appropriation, nomination of vessel.
- Force majeure clauses and frustration.
- Laytime and demurrage clauses in contracts on sale.
- Opening a letter of credit: what type, when and with whom?
- The bill of lading: a carriage, sale and L/C document.
- The Institute Cargo Clauses 2009.
- Rejection of documents by buyers and by banks.
- Demand Guarantees and the URDG No. 758.
- BPO: Uniform Rules for Bank Payment Obligations.

Course Details

The course will be held at
The Hallam
44 Hallam Street
London W1W 6JJ

Full Course Fee: £2,495.00
(VAT exempt).

'Early Bird' Course Fee: £1,995.00
(VAT exempt) for bookings paid by
28 April 2017.

Course fees include refreshments,
lunch and course materials.

For cancellations received by 28 April 2017,
a full refund of monies paid, less a £300
administration fee, will be issued. The full course
fee will be payable for cancellations received
thereafter.

Registration and Enquiries

Miss Clare Brady
Institute of Maritime Law
University of Southampton
Highfield, Southampton SO17 1BJ
United Kingdom

Tel: +44 (0)23 8059 3862

Fax: +44 (0)23 8059 3789

Email: c.l.brady@soton.ac.uk

Speakers include

Professor James Davey

Professor of Insurance and
Commercial Law

Professor Filippo Lorenzon

Professor in Maritime and
Commercial Law

Professor Paul Todd

Professor of Commercial and
Maritime Law

Dr Jenny Jingbo Zhang

Lecturer in Maritime and
Commercial Law

Sessions are also presented by a
number of specialist speakers from
the city of London and beyond.

Please note the Institute reserves
the right to alter course content
or speakers without notice as may
become necessary.

Passage of property and risk

Booking Form

Company/Firm _____

Address _____

Telephone _____

Fax Email _____

Number of Bookings at £1,995.00 Early Bird Fee (by 28 April 2017) _____

Number of Bookings at £2,495.00 Full Course Fee (after 28 April 2017) _____

Delegate Names _____

I enclose a cheque made payable to 'University of Southampton' for £ _____

Please invoice to the above address.

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