



LAYTIME AND DEMURRAGE TRAINING FOR THE DRY BULK INDUSTRY

THE ROYAL OLYMPIC HOTEL - ATHENS, GREECE

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INTRODUCTION

This is a two-day classroom-based course for specialists working in the dry bulk cargo laytime and demurrage landscape who wish to become masters of this subject. It is suitable for experienced laytime and demurrage analysts, operators, claims handlers and lawyers who are looking to build on their expertise in dry bulk cargo laytime and demurrage. It is also suitable for those moving to a dry bulk laytime and demurrage department.

The syllabus is comprehensive and practical. It focuses on the accurate calculation of laytime and demurrage in the modern dry and break-bulk industries with case studies and calculation exercises. We examine the key issues and complex problems, and demurrage dilemmas faced by the industry day to day and highlighted by the latest court and arbitration decisions to find the answers.

By applying the knowledge gained in this course, participants will learn how to save money for the company when issuing claims or when paying them. The investment in attending this course will be repaid many times over.

We invite delegates to bring case studies, problems or demurrage dilemmas to our training sessions and encourage them to engage with the issues, analyse, take part in, and collaborate with each other to develop the skills necessary to handle the most complex problems. We will be covering many case studies and will hold a mock arbitration in which delegates take part and present their position.

COURSE PARTICULARS

Date 15/16 October 2024

Training: 2 Days (09:30 to 17:00)

Networking: An informal networking drinks reception will be held from 17:00 to 18:00 on 15 October

Location: The Royal Olympic Athens Hotel, 28-34 Athanasiou Diakou Street, 117 43, Athens, Greece

Cost: €1,550 per delegate*

*Delegates wishing to pay in United States Dollars or other currencies may do so by contacting us.

FEATURES OF THIS COURSE

This course takes the same practical hands-on approach that is a feature of Asdem's professional training courses. The emphasis is on active learning and participation in a classroom workshop style setting with the extensive use

of case studies, calculations participation and discussion placing the emphasis on learning laytime and demurrage at an advanced level.

This course takes us beyond the basics of dry bulk voyage charter party laytime and demurrage and undertakes a detailed look at the working of the regime. It focuses on the principles that apply, how the dry bulk laytime and demurrage code works and dispels common misconceptions and industry myths. The emphasis is on understanding and learning. All teaching is done by experts and specialists experienced in solving complicated problems day to day by understanding how the dry bulk laytime and demurrage regime works.

All teaching is done based on actual cases. What happened, what did we do.

The syllabus is comprehensive and participants on this course who complete the two days training, the calculations, case studies and obtain a certificate of attendance will have the tools to do the most complex of calculations and cope with the toughest of negotiators.

WHO SHOULD ATTEND

This two-day course is ideal for members of operations, chartering, post fixture, contracts and claims departments in ship owning, ship chartering, trading and ship brokering companies whose day-to-day jobs involve the laytime and demurrage value chain.

ASDEM'S EXPERTISE IN DRY BULK LAYTIME AND DEMURRAGE

Asdem's expertise in Laytime and demurrage began over 50 years ago. From its offices in central Mayfair, London, and its team of specialists, led by Roger Sepkes, Asdem Ltd established itself as the leading independent energy industry consultancy in laytime and demurrage.

In Southeast Asia, Asdem's current Managing Director, Andrew Wilding, was an Associate in the first international law firm to open overseas offices in Hong Kong and Singapore. He went on to become a partner.

The landscape Andrew worked in was the dry bulk industry - grain, coal, steel, iron, cement, and break-bulk markets. In the 1980s, Asian markets were dynamic, expanding rapidly and volatile. It was a time when a shop trading towels on the backstreets of Shanghai could become a multinational cement trading company overnight and disappear just as quickly. The market was characterised by boom and bust; ports were congested; long waiting times were common.

It was in the cut and thrust of the Asian dry bulk and break-bulk industries that Andrew began to specialise in laytime and demurrage. Andrew went on to present the first courses in Southeast Asia on the (then new) GENCON 1994 form dry bulk charter, ran Hong Kong's Shipping Law Course and became a Visiting Professor of Maritime Law.

Following a move to Singapore in 2000, Andrew went on to establish Asdem Asia and developed a specialisation in energy industry contracts and oil and gas laytime and demurrage.

COURSE SYLLABUS

DRY BULK CARGO TRANSPORTATION – THE COMMERCIAL LANDSCAPE – AN OVERVIEW

The transport of bulk cargoes, the dry bulk trade – ship types – cargo types – market characteristics and features – time charters and voyage charters

UNDERSTANDING THE ECONOMICS OF A VOYAGE CHARTER – OWNERS RENUMERATION FOR THE SERVICES OF THE VESSEL – FREIGHT THE LAYTIME ALLOWANCE AND DEMURRAGE

The carrying loading and discharging services that the owner provides to the charterer and its cargo. Owners remuneration – freight income and demurrage income – demurrage – agreed daily rate paid per day pro rata as compensation for detaining the vessel beyond laytime – liquidated damages and the nature of liquidated damages – rationale for payments on account of demurrage.

THE LAYTIME AND DEMURRAGE REGIME IN THE DRY BULK INDUSTRY – THE LAYTIME AND DEMURRAGE CLOCK – ESSENTIAL CONCEPTS

The use of time and the mechanics of the laytime and demurrage regime which measures the use of time – the two essential data points for the calculation.

VOYAGE CHARTERS AND THE VOYAGE CHARTER LAYTIME AND DEMURRAGE REGIME

The start of time – laytime – the end of laytime – time on demurrage – the end of time on demurrage – claiming demurrage – the relationship of loading and discharging time in the dry bulk industry – separate calculations for loading and discharging – Averaging Reversing and Dispatch

SALE AND PURCHASE CONTRACTS AND THE SALE AND PURCHASE LAYTIME AND DEMURRAGE REGIME

The differences from the voyage charter regime – the terms of the trade – loading and discharging – laytime allowances – delivery dates – shipment dates and arrival dates – notice periods and nominations and the start of laytime.

LAYTIME AND DEMURRAGE ANALYSIS UNDER A DRY BULK VOYAGE CHARTER

An overview of the voyage charter – contents clauses and structure – the ‘joint venture’ under which owners and charterers work together to perform the contract in its 4 stages – arrival at the load port, the loading operation, the loaded voyage, the discharging operation – the voyage, the laytime and demurrage analysis and the closure of the voyage file.

IDENTIFYING THE TERMS AND CONDITIONS THAT WILL APPLY TO THE LAYTIME AND DEMURRAGE ANALYSIS

The voyage charter – the form of the contract – standard form charters used in the dry bulk industry – GENCON, NORGRAIN, AMWELSH – identifying all the applicable contractual terms – working with recaps – mandatory additional clauses (MACs) – standard additional clauses (SACs) – owners general terms and conditions – charterers terms – loading or discharging terminals rules – how the contract is performed – owner’s obligations – charterer’s obligations – how the voyage charter allocates responsibility for loading and discharging of charterers cargo – the data points for the laytime and analysis created in the charter contract.

IDENTIFYING THE LAYTIME ALLOWANCE

Identifying the type of laytime clause

FIXED LAYTIME

Laytime allowance fixed by reference to days and by reference to hours.

Where laytime is calculated using clauses which define the amount of laytime allowed

“Running days”

“Working days”

“Sundays and holidays”

“Weather permitting” and “weather working day.”

“Weather working day of 24 hours”.

“Weather working days of 24 consecutive [or running] hours”.

“Days” based on the amount of cargo loaded or unloaded per day.

“Days” based on amount of cargo per workable hatch.

“Days” based on amount of cargo “per hatch.”

NO FIXED PERIOD OF LAYTIME

Charters where no period is fixed for loading and/or discharging, or where the period of time is left to custom.

Time waiting for a berth under a charter with no fixed laytime.

THE START OF LAYTIME

The voyage to the load port – arrival at load port

NOTICE OF READINESS – THE ARRIVED SHIP, THE READY SHIP AND THE OWNERS NOTICE OF READINESS

THE ARRIVED SHIP

Berth charters and port charters and “arrived ships” – NOR given – “Whether in berth or not” – “whether in port of not” – Meaning of “port”

THE READY SHIP

Physical readiness – fitness of ship and condition and cleanliness of holds

Legal readiness – formalities – Free pratique and customs clearance

Conditions precedent to readiness and tender of NOR

THE NOTICE OF READINESS

Importance of notice of readiness – Content of notice of readiness – From where may NOR be given – Free pratique and customs clearance – To whom must the NOR be given – How NOR is given – Tender of NOR prior to lay days – When may NOR be given? “Office hours” – Time used before notice time expires – Meaning and effect of “time lost waiting for berth provision.”

SUSPENSION OF LAYTIME

The exceptions to laytime – where they are found – the principles on which exceptions operate.

THE END OF LAYTIME AND TIME ON DEMURRAGE

The importance of knowing when laytime has ended and the impact on analysis.

DEMURRAGE

The function of demurrage clauses – what they do and how they work – how time on demurrage runs – limited and unlimited periods of time on demurrage – ‘Once on demurrage always on demurrage’ – exceptions clauses and the suspension of demurrage – the fault principle and demurrage – delays caused by the fault of the shipowner – delays caused by fault of charterer – demurrage and mitigation what steps should be taken (if any) to avoid loss of time – demurrage and damages for detention

CREATING THE LAYTIME AND DEMURRAGE CALCULATION

INFORMATION AND DOCUMENTATION REQUIRED – THE EVIDENCE OF WHAT HAPPENED

Claims require proof (evidence) – The evidence (supporting information and documentation) – statements of fact – time sheets – port logs – letters of protest notes of protest – weather reports – voyage instructions – terminal records – your own investigations – the voyage operations file.

THE CALCULATION

Working with modular time and decimal time – understanding the math – doing the conversions. Working with laytime and demurrage application software – what it can do and what it cannot do and how to make informative entries into the laytime and demurrage software of voyage management software.

Relationship of loading and discharging time separate calculations for loading and discharging averaging and reversing “Separate” or “total” laytime for loading and discharging

SUSPENSION OF LAYTIME AND TIME ON DEMURRAGE CASE STUDIES AND CALCULATIONS

Bad weather, congestion, strikes breakdowns at the terminal, force majeure and ‘Any cause [whatsoever] beyond the control of charterer’

SUBMITTING THE DEMURRAGE CLAIM SUPPORTING DOCUMENTS AND COMPLYING WITH TIME BARS AND EFFECT NEGOTIATION.

This final session will guide participants on how to comply with time bars and will feature a mock arbitration between owners and charterers on a classic time bar scenario – missing documents that are nevertheless in charterer's possession.

COURSE PRESENTER

Andrew Wilding, the Managing Director of Asdem, a maritime lawyer qualified to practice law professionally in England and Hong Kong (1989) and as Counsel in Singapore. He has over 40 years' experience in shipping and trading law and is recognised internationally as a legal and commercial expert in the operation of oil industry sale and purchase and charterparty contracts and laytime and demurrage. Andrew advises ship owners, ship managers, charterers, multinational trading companies, and their insurers. Whilst in professional practice Andrew appeared before the English House of Lords, The Privy Council and The Court of Appeal and High Court as well as arbitration tribunals throughout the world including Japan, Korea, Hong Kong, Singapore, India, Malaysia, Paris, London, and New York.

In 2008 Andrew left professional practice and joined Roger Sepkes at Asdem in London and set up Asdem's Singapore office to focus on working as a commercial and legal specialist advisor and consultant to the energy industry. Following Roger's retirement in 2016 Andrew was appointed the Managing Director of Asdem and relocated to Europe whilst retaining responsibility for its office in Singapore.

Andrew is a visiting professor of English Maritime Law and has lectured for numerous academic and professional institutions in Japan, Korea, China, Singapore, Hong Kong, London, and the United States. He is the author of numerous published articles on Maritime Law and has contributed to several books.

Andrew provides professional training services to the laytime and demurrage departments of companies all over the world. He is frequently asked to act as an independent and objective expert to assist parties with an issue in dispute.

COURSE DISCOUNTS*

€100 early bird discount will be available for companies who register by 15 September 2024.

€150 discount will be available to Asdem clients and delegates who have attended prior courses and conferences. Where 3 or more bookings are made by the same company a **€50 discount** will be applied for each delegate.

*Discounts are not cumulative. The largest discount that a delegate is eligible for will apply.

COURSE COSTS INCLUDE

The fee for this course includes refreshments, buffet lunch, morning and afternoon tea and coffee on each day, a course training manual, course reference materials and a certificate of attendance.

The fee for this event does not include accommodation. If you require accommodation, we will be happy to provide the contact information for the Royal Olympic Athens Hotel.

REGISTRATION

You may register for this course by filling out the registration form on the last page of this brochure and returning the completed form to info@asdem.com.

PAYMENT

Payment may be made via bank transfer or credit card. Once your completed registration form has been received,

you will be issued an official invoice with full bank transfer instructions. Please contact us at info@asdem.com if you would prefer to pay by credit card.

Payment must be received no less than five working days prior to the event. Once payment has been confirmed, joining paperwork will be emailed to you.

CANCELLATIONS AND SUBSTITUTIONS

Cancellations must be received in writing no less than 10 business days prior to the event and will be subject to a 25% administration fee plus VAT, if applicable. It is regretted that cancellations after this date cannot be accepted, and your company will be liable for the full fee.

Delegate substitutions, however, may be made at any time. Please advise of any delegate substitutions as soon as possible by sending us an email at info@asdem.com.


COURSE ORGANISERS – ASDEM

ASDEM is the leading independent consultancy providing specialised services to the laytime and demurrage industry including all oil majors, trading houses, owners, charterers, brokers, and lawyers.

Our core area of expertise is in demurrage, detention, deviation, and other delay claims. ASDEM provides impartial and independent advice and assistance as an advisor on claims recovery and for cost effective dispute resolution, mediation and – only if necessary – arbitration. Our services are aimed at resolving disputes efficiently and fairly. Our primary objective is to find fair and commercial solutions aimed at negating costly and lengthy proceedings while preserving relationships. ASDEM offers an independent arbitration service that provides a fast, reliable, and cost-effective way to resolve disputes.

ASDEM also runs very practical training seminars. We also advise on the drafting of standard form charterparties, industry sale and purchase contract terms and conditions.

With an established and market-leading reputation, ASDEM can draw upon a team of experienced consultants to place in clients' offices – often at short notice – to complete special projects, clear backlogs of outstanding claims and set up and train claims departments.



COMPLEX PROBLEMS
understood

CLEAR ANSWERS
provided

EFFECTIVE SOLUTIONS
achieved

SETTING STANDARDS
state-of-the-art education and
training for laytime and demurrage

ASDEM - THE LEADING AND INDEPENDENT ADVISERS FOR LAYTIME AND DEMURRAGE



REGISTRATION FORM

LAYTIME AND DEMURRAGE TRAINING FOR THE DRY BULK INDUSTRY

15/16 OCTOBER 2024 - THE ROYAL OLYMPIC HOTEL - ATHENS, GREECE

COMPANY INFORMATION

Company Name: _____

Company Address: _____

Contact Name: _____ Contact Number: _____

Email Address: _____ VAT Number: _____

DELEGATE 1

Delegate Name: _____ Corporate Title: _____

Department: _____ Email Address: _____

Desk Phone: _____ Mobile Phone: _____

DELEGATE 2

Delegate Name: _____ Corporate Title: _____

Department: _____ Email Address: _____

Desk Phone: _____ Mobile Phone: _____

DELEGATE 3

Delegate Name: _____ Corporate Title: _____

Department: _____ Email Address: _____

Desk Phone: _____ Mobile Phone: _____

DELEGATE 4

Delegate Name: _____ Corporate Title: _____

Department: _____ Email Address: _____

Desk Phone: _____ Mobile Phone: _____

After completing the above information, please email back to us at info@asdem.com