



ASDEM

EVENT CATALOGUE

2024



PROFESSIONAL TRAINING COURSES  
AND CONFERENCES  
FOR THE OIL AND GAS INDUSTRY

LONDON, ATHENS, SINGAPORE



## LAYTIME AND DEMURRAGE IN THE OIL AND GAS INDUSTRY ASDEM'S PROFESSIONAL TRAINING COURSES AND CONFERENCES 2024

Asdem's core area of expertise is Oil and Gas Tanker and Barge laytime and demurrage, oil and gas sale and purchase contracts, oil industry operations, cargo assurance and loss control.

We have been established for over 50 years. We have market leading expertise and experience and are the leading independent consultancy to the oil and gas industry in our chosen area of specialisation and expertise, and we are known for independent advice that can be trusted for its integrity, honesty, and practicality.

As servants of the industry, we have chaired industry working groups and committees on the industry standard for pumping calculations – THE ASDEM PUMPING FORMULA, THE ASDEM COMMERCIAL CODE OF PRACTICE ON THE HANDLING OF LAYTIME AND DEMURRAGE and the ASDEM BARGE VOY 1 charterparty. We are also the organisers of LTOPS - THE LONDON TANKER OPERATORS PARTY, hold industry conferences and workshops in London, Athens, Singapore and Japan, and write industry newsletters and updates.

Asdem has advised on the drafting of, and revisions to, charterparty forms and general Terms and Conditions in use by the industry today. In addition, we oversee the revision, updating and evolution of contract forms from time to time due to events or changes on the trading landscape.

### **PROFESSIONAL TRAINING SERVICES PROVIDED BY ASDEM**

Our professional training courses are prepared and delivered by industry specialists. Fully understanding the landscape, Asdem's advisory and training services are underpinned by our own active involvement in the industry by running an operations and help desk and handling vessel and cargo nominations for a market benchmark trading contract.

### **ASDEM CERTIFIED**

A hallmark of our professional training courses is the certificate that is provided to each delegate upon completion. Asdem training certification is widely recognised throughout the industry.

### **THE IMPORTANCE OF THE LAYTIME AND DEMURRAGE REGIME AND THE IMPORTANCE OF TRAINING**

Over 90% of the world's oil and gas cargoes brought and sold daily are transported by sea. Most of these voyages are performed under a voyage charter. The voyage charter and associated sale and purchase contracts - which will use its rates and terms - is the landscape of laytime and demurrage.

Laytime and demurrage is an important part of the value chain. Accurate calculation, efficient negotiation and effective recovery preserves value and enhances profit, commercial relationships, and corporate reputations.

In 2024 we are holding 5 classroom-based training courses in London and Singapore and 2 conferences for industry professionals in Athens and Singapore.

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**5 September / London – (one day course from 09:00 to 17:00)**

LAYTIME AND DEMURRAGE UNDER OIL AND GAS TANKER VOYAGE CHARTERPARTIES:  
THE FUNDAMENTALS OF CALCULATION, NEGOTIATION AND SETTLEMENT OF CLAIMS

**18/19 September / London**

LAYTIME AND DEMURRAGE UNDER OIL & GAS TANKER VOYAGE CHARTERPARTIES: BEYOND  
THE BASICS

**25/26 September / London**

LAYTIME AND DEMURRAGE UNDER OIL AND GAS INDUSTRY SALE AND PURCHASE CONTRACTS

**18 October / Athens**

THE ATHENS TANKER CONFERENCE  
CHARTERING OPERATIONS AND LAYTIME & DEMURRAGE

**8 November / Singapore – (one day course from 09:00 to 17:00)**

LAYTIME AND DEMURRAGE UNDER OIL AND GAS TANKER VOYAGE CHARTERPARTIES:  
THE FUNDAMENTALS OF CALCULATION, NEGOTIATION AND SETTLEMENT OF CLAIMS

**11/12 November / Singapore**

LAYTIME AND DEMURRAGE UNDER OIL & GAS TANKER VOYAGE CHARTERPARTIES: BEYOND  
THE BASICS

**14 November / Singapore**

THE ASIAN TANKER CONFERENCE  
DELAY CLAIMS IN THE TANKER INDUSTRY

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**Click on any topic shown below to view that section of this catalogue.**

IMPORTANT INFORMATION WHICH APPLIES TO ALL COURSES AND CONFERENCES

PRESENTER'S PROFILES

ADDITIONAL COURSES UNDER CONSIDERATION FOR 2024

COMING IN 2025 – MARK YOUR CALENDARS!

ASDEM CONTACT DETAILS





LAYTIME AND DEMURRAGE UNDER OIL & GAS TANKER VOYAGE CHARTERPARTIES:

**THE FUNDAMENTALS  
OF CALCULATION, NEGOTIATION AND  
SETTLEMENT OF CLAIMS**

THE CHESTERFIELD MAYFAIR HOTEL - LONDON



# LAYTIME AND DEMURRAGE UNDER OIL AND GAS TANKER VOYAGE CHARTERPARTIES: THE FUNDAMENTALS OF CALCULATION, NEGOTIATION AND SETTLEMENT OF CLAIMS



## INTRODUCTION

This one-day course is for oil and gas industry professionals joining a laytime and demurrage department who require a hands-on practical introduction to the laytime and demurrage regime. Upon completion of this course and the calculations that are the feature of it you will be ready to join the department.

Professionals already working within a department who wish to refresh and update their knowledge of the workings of the laytime and demurrage regime will find this class suitable to their needs.

This course has been designed as a foundation level course for those attending our laytime and demurrage: beyond the basics and/or our laytime and demurrage under sale and purchase contracts. If you are an experienced laytime and demurrage analyst and negotiator you will find these courses suitable to your continued education within the laytime and demurrage landscape.

## COURSE PARTICULARS

**Date** 5 September 2024

**Length:** 1 Day (09:00 to 17:00)

**Location:** The Chesterfield Mayfair Hotel - 35 Charles Street, Mayfair, London, W1J 5EB

**Cost:** US \$1,200\* per delegate

\*Under current Excise regulations delegates from companies based in the UK are required to pay VAT.

## FEATURES OF THIS COURSE

The principal feature of this course is its focus on a practical hands-on approach. The curriculum follows the life of a voyage – which starts with the creation of the voyage charterparty contract and the type and terms of the laytime and demurrage regime that the various voyage charters offer, laytime allowances and rates of demurrage and other clauses necessary to do the calculations.

We join the ship as it starts the approach voyage to the place where it will load the product. We look at the requirements and the condition of the ship, its location and tendering of NOR to start laytime running, we explain the concept of counting time – what time counts and what time does not count and how exceptions work.

Once hoses are off and documents are on board we examine how and when the clock stops and prepare a load port laytime and demurrage calculation. We journey with the ship on its laden passage noting the use of interim

ports or waiting places and calculations that may need to be prepared for these events and interim operations before arrival at the discharge port. At the discharge port NOR is once again tendered and the ships pumps are put to work to discharge the cargo. The pumping operation and discharge port calculation is prepared.

Once the voyage has ended a laytime and demurrage statement is prepared for the entire voyage. The class examines the requirements for submitting the claim on time and correctly documented. The life of the voyage ends with the negotiation and settlement process and closure of the file.

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## COURSE SYLLABUS

**THE OIL TRADING LANDSCAPE AND THE DEMAND FOR TANKERS** – THE TRADE CHAIN AND THE CHARTER CHAIN – THE LAYTIME AND DEMURRAGE TRIANGLE – FREIGHT LAYTIME ALLOWANCE RATES OF DEMURRAGE – THE SHIP OWNER'S POSITION AT THE END OF THE PAYMENT CHAIN – KNOWING THE MARKET KPIs AND CLAIMS RECOVERIES – COMMON STRATEGIES USED BY CHARTERERS TO REDUCE DEMURRAGE

**THE VOYAGE CHARTER** – STRUCTURE OF CHARTER - MAIN CHARTER FORMS - THE ROLE OF FREIGHT LAYTIME AND DEMURRAGE CLAUSES

**UNDERSTANDING THE LAYTIME AND DEMURRAGE REGIME** – THE ESSENTIAL DATA POINTS FOR THE SHIP OWNER – THE LAYTIME AND DEMURRAGE CODE – 'CLOCK ON' AND 'CLOCK OFF' – NORs – THE ARRIVED SHIP – PORT AND BERTH CHARTERS – SHIFTING TIME – THE READY SHIP – LEGAL READINESS AND FORMALITIES – FREE PRATIQUE, CUSTOMS CLEARANCE, IMMIGRATION CLEARANCES – CASE STUDY AND CALCULATIONS

**DETENTION DEVIATIONS AND WAITING TIME** – USING THE RATE OF DEMURRAGE – DEVIATION CALCULATION AND CASE STUDY – DOCUMENTATION ALLOWANCES – EXPLANATION OF DETENTION – DETENTION – CASE STUDY – THE REACHABLE ON ARRIVAL WARRANTY

**EXCEPTIONS AND INTERRUPTIONS** – THE COUNTING OF TIME – UNDERSTANDING HOW TO APPLY INTERRUPTIONS AND EXCEPTIONS – CAUSATION

**PUMPING PERFORMANCE AND PUMPING LOGS** – WITH PUMPING CALCULATION AND CASE STUDY

**PREPARING A LAYTIME AND DEMURRAGE STATEMENT/CALCULATION** – COUNTING TIME – SOURCES OF INFORMATION – DATA POINTS – STATEMENTS OF FACTS – TYPES OF STATEMENTS OF FACTS – OPERATIONS DOCUMENTS – SHIPS LETTERS OF PROTEST AND NOTES OF PROTEST

**SUBMITTING CLAIMS** – DOCUMENTS, CALCULATIONS, LAYTIME STATEMENTS AND INVOICES

**TIME BARS AND SUPPORTING DOCUMENTS – PRACTICAL SESSION ON ENSURING COMPLIANCE**

UNDERSTANDING THE CLAUSE AND HOW THEY WORK – NOTIFICATION CLAUSES AND TIME BAR CLAUSES – THE CHARTERER AS YOUR AUDITOR – SUPPORTING DOCUMENTS – WHEN AND HOW TO SUBMIT THE CLAIM

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## COURSE DISCOUNTS\*

**US \$100 early bird discount** will be available for companies who register and make payment prior to the event.

**US \$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 **US \$50 discount** will be applied for each delegate. **Two-course discounts:** delegates who also register for the Laytime and Demurrage: Beyond the Basics (18/19 September 2024) or the Laytime and Demurrage under Sale and Purchase Contracts (25/26 September 2024) will receive a **\$450 discount**.

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

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## REGISTRATION AND IMPORTANT INFORMATION

**You may register for this course** by filling out a registration form which can be downloaded by clicking [here](#) and returning the completed form to [info@asdem.com](mailto:info@asdem.com). Please see the Important Information section by clicking [here](#) for additional information related to each course and conference.

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LAYTIME AND DEMURRAGE UNDER OIL &  
GAS TANKER VOYAGE CHARTERPARTIES:  
BEYOND THE BASICS

THE CHESTERFIELD MAYFAIR HOTEL - LONDON



# LAYTIME AND DEMURRAGE UNDER OIL AND GAS TANKER VOYAGE CHARTERPARTIES: BEYOND THE BASICS



## INTRODUCTION

This two-day course is for analysts who have attended our one-day LAYTIME AND DEMURRAGE UNDER OIL AND GAS TANKER VOYAGE CHARTERPARTIES: THE FUNDAMENTALS OF CALCULATION, NEGOTIATION AND SETTLEMENT OF CLAIMS course. This course is also suitable for experienced laytime and demurrage analysts, operators, claims handlers and lawyers who already have a high level of expertise which they are looking to build on and those which have previously attended Asdem's laytime and demurrage training seminars and conferences.

In demurrage negotiations, the person with the greatest knowledge and experience is best placed to find opportunities for saving money. 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. The investment in attending this course will be repaid many times over by the savings made.

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** 18/19 September 2024

**Length:** 2 Days (09:00 to 17:00 both days)

**Location:** The Chesterfield Mayfair Hotel - 35 Charles Street, Mayfair, London, W1J 5EB

**Cost:** US \$2,000\* per delegate

\*Under current Excise regulations delegates from companies based in the UK are required to pay VAT.

## 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 tanker voyage charter party laytime and demurrage and undertakes a detailed look at the working of the regimes. It focuses on the principles that apply, how the contract works and dispels common misconceptions. The emphasis is on understanding and learning.



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.

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## **COURSE SYLLABUS**

**THE OIL AND GAS VOYAGE CHARTERPARTY AND THE COMMERCIAL LANDSCAPE** – THE PRINCIPAL CHARTERPARTY FORMS – ASBATANKVOY (+UPCOMING REVISION BY ASBA) – BPVOY 4 AND BPVOY 5 – COMMENTARY ON THE MOST POPULAR OF FORMS WITH A WORKSHOP SESSION ON PITFALLS – BERTH CHARTERS SHELLVOY 5 AND 6 – EXXONMOBIL 2012 AND NOTABLE CHARACTERISTICS OF THIS FORM – CHOICE OF CHARTERPARTY – SHIPOWNERS CONSIDERATIONS AND PERSPECTIVE

**MAKING THE CHARTERPARTY CONTRACT** – THE CHARTERPARTY FIXTURE RECAP – THE ROLE OF INCORPORATION OF ADDITIONAL LAYTIME AND DEMURRAGE TERMS AND THE CHARTERPARTY FORM – THE FOUR CORNERS OF THE CHARTERPARTY CONTRACT – ITS STRUCTURE PARTS, TERMS AND CONDITIONS AND – PRACTICAL RULES FOR UNDERSTANDING THE SOMETIMES COMPLEX AND CONFLICTING CLAUSES USED IN ADDITIONAL TERMS AND BROKER RECAPS

**FREIGHT – LAYTIME ALLOWANCE – DEMURRAGE – DAMAGES FOR DETENTION** – THE CENTRAL ROLE OF FREIGHT AND THE DAILY RATE OF COMPENSATION FOR LOST FREIGHT (DEMURRAGE) – THE ROLE OF LAYDAYS LAYCAN CANCELLING DATES AND COMMENCEMENT DATES IN THE LAYTIME AND DEMURRAGE REGIME

**VOYAGE ANALYSIS AND LAYTIME AND DEMURRAGE** – FOUR STAGES IN THE PERFORMANCE OF THE VOYAGE – VOYAGE STAGES AND THEIR OBLIGATIONS – OPERATIONS STAGES – LOADING AND DISCHARGING AND THEIR OBLIGATIONS – ANALYZING LAYTIME AND DEMURRAGE USING VOYAGE STAGES

**APPROACH VOYAGE** – THE SHIP – SHIP OWNERS DUTIES – THE ROLE OF ESTIMATED TIMES OF ARRIVAL AND LAYTIME AND DEMURRAGE – LAYDAYS AND COMMENCEMENT DATES – MISSING AND INCORRECT ETAS

**THE END OF SEA PASSAGE** – ARRIVAL OF THE SHIP AT OR OFF THE PORT AND TRIGGERING THE REACHABLE ON ARRIVAL (ROA) WARRANTY – BERTH REACHABLE ON ARRIVAL – PROCEEDING STRAIGHT TO BERTH – ANCHORING AND WAITING – INNER AND OUTER ANCHORAGES – INWARD PASSAGES – SHIFTING TIME TO BERTH – SHIFTING OUT OF BERTH – SHIFTING BETWEEN BERTHS – TIME ON DEMURRAGE

### **THE THREE CONDITIONS TO START THE LAYTIME AND DEMURRAGE CLOCK**

**1. THE ARRIVED SHIP – LOADING AND DISCHARGING PORTS PLACES AND BERTHS** – THE PLACE OF ARRIVAL – PORTS – ARRIVAL IN PORT – CUSTOMARY ANCHORAGE AND ANCHOR DOWN – BPVOY4/5 CONCEPT OF A VALIDLY TENDERED NOR BECOMING AN EFFECTIVE NOR FOR STARTING THE LAYTIME AND DEMURRAGE CLOCK

**2. READINESS OF THE SHIP** – THE READY SHIP CONCEPT – WHAT IS THE STANDARD OF READINESS – WHAT DOES MEETING THE STANDARD REQUIRE DAY TO DAY COMMERCIALY – TANK CLEANLINESS AND READINESS – IMPACT ON LAYTIME OR TIME ON DEMURRAGE

**FORMALITIES** – FREE PRATIQUE – CUSTOMS – IMMIGRATION AND OTHER CLEARANCES AND IMPACT ON NOR AND READINESS OF THE TANKER

**DOCUMENTATION AND LEGAL READINESS** – SHIP CERTIFICATION – TANKER VESSEL EXAMINATION LETTER – PORT REGULATIONS – PORT STATE CONTROL

**3. THE NOTICE OF READINESS** – THE CONTENT AND FORM OF THE NOTICE OF READINESS – WHO TO TENDER TO – TENDER TO AGENTS AND TERMINAL – ACCEPTANCE OF NOR – CHARTERERS WAIVER AND ACCEPTANCE OF A DEFECTIVE NOR – UNDERSTANDING THE IMPORTANCE OF THE HAPPY DAY AND OTHER CASE LAW ON ACCEPTANCE OF NORs BY TERMINALS ON BEHALF OF CHARTERERS

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**THE COUNTING OF TIME ONCE THE CLOCK STARTS** – THE OWNERS MANTRA ON THE COUNTING OF TIME – TIME COUNTS UNLESS AN EXCEPTION APPLIES UNDER THE CONTRACT OR THE OWNER IS AT FAULT AS A MATTER OF LAW

**WORKING WITH EXCEPTIONS AND INTERRUPTIONS** – ANALYSIS OF THE LAYTIME AND DEMURRAGE REGIMES UNDER THE VARIOUS CHARTERS AND A COMPARISON OF THE WAY THESE EXCEPTIONS REGIMES DIFFER IN PRACTICE – ANALYSIS OF EXCEPTIONS – THE EXPECTED EVENT – CAUSATION – CASE STUDY – THE BUT FOR TEST AND THE MEANING OF TIME SPENT OR LOST (BPVOY4/5) – THE DEEMING PROVISIONS OF CL 14 OF EMVOY 2012 – AMBIT OF EXCEPTIONS IN SHELLVOY5/6

**THE END OF LAYTIME OR TIME ON DEMURRAGE** – HOSES OFF – DUTY TO TAKE HOSES OFF PROMPTLY – CASE STUDY - DOCUMENTATION – DEPARTURE FOR DISCHARGE PORT OR END OF CHARTER

**THE LOADED VOYAGE** – DELAYS AND INTERRUPTIONS TO THE VOYAGE AND RESPONSIBILITY FOR TIME

**INTERIM PORTS – WAITING FOR INSTRUCTIONS OR ORDERS** – CALCULATION AND COST OF TIME WAITING – DAMAGES FOR DETENTION – QUANTUM MERUIT BASIS OR CALCULATED ACCORDING TO CHARTER PROVISIONS

**CARGO DISCHARGE OPERATIONS** – RESTARTING THE LAYTIME AND DEMURRAGE CLOCK – THE RUNNING OF LAYTIME AND TIME ON DEMURRAGE AT THE DISCHARGE PORT – DISCHARGE PORT NORs

**PUMPING – PUMPING PERFORMANCE WARRANTIES** – UNDERSTANDING THE WARRANTY AND HOW IT WORKS

**PUMPING PERFORMANCE CALCULATIONS** – THE IMPORTANCE OF PUMPING LOGS – SHIP AND SHORE STOPPAGES – THE IMPORTANCE OF THE MASTERS NOTE OF PROTEST – SIGNING DOCUMENTS FOR RECEIPT – CALCULATION AND CASE STUDY

**PRO RATING OF TIME BETWEEN SEVERAL RECEIVERS** – THE PRINCIPLES EXPLAINED AND WITH CALCULATIONS

## **TIME BARS AND RECOVERY OF DEMURRAGE**

UNDERSTANDING TIME BARS AND THE TIME BAR LANDSCAPE – TYPES OF TIME BAR – CONTRACTUAL AND STATUTORY – TIME BARS REQUIRING NOTICE OF CLAIMS WITHIN A LIMITED PERIOD OF TIME – CLAUSES WHICH REQUIRE CLAIMS TO BE SUBMITTED WITHIN A LIMITED PERIOD OF TIME – CLAIMS TO WHICH TIME BARS APPLY AND CLAIMS TO WHICH TIME BARS DO NOT APPLY – PROVISIONS APPLYING TO MECHANISM FOR NOTIFICATION OF CLAIMS – SUPPORTING DOCUMENTS – THE MEANING OF THE EXPRESSION – NAMED DOCUMENTS AND DOCUMENTS NOT EXPRESSLY NAMED – SUPPORTING A CLAIM WITH DOCUMENTS AND PROVING A CORRECTLY DOCUMENTED CLAIM

## **FINAL SESSION – CASE STUDIES WITH QUESTION-AND-ANSWER SESSION ON ISSUES AND PROBLEMS FACED DAY TO DAY**

**ASBATANKVOY CHARTERPARTY CASE STUDY** – VESSEL FIXED FOR FE ON WS BASIS 1:1 GOING EAST TO ASIA AFTER LOADING IN THE GULF CONTRACT IS COMPLICATED AND IN 4 PARTS AND FEATURES AN ESTIMATED 150 + TERMS IF IT WERE DRAWN UP IN FULL – VESSEL TAKES AN OPTION TO GO THE USGC – AT THAT TIME A LOW SULPHUR 'REGION' – CARGO IS DISTRESSED AND HAS TO BE SOLD IN PARCELS – WE FOLLOW THE LIFE OF THE VOYAGE AND DO THE LAYTIME AND DEMURRAGE CALCULATION

**BPVOY 4 CASE STUDY** – MEASUREMENT OF CARGO LOADED – SURVEYOR HAS DIFFERENT MEASUREMENTS – ULLAGING OF TANKS – DELAYS AND ATTENDANCE FROM THE SHORE BY P+I CLUB – RESPONSIBILITY FOR TIME LOST AND LAYTIME AND DEMURRAGE CALCULATION

### **TIME BAR CASE STUDIES**

**BPVOY 4 TIME BAR CASE STUDY** – A VESSEL FIXED ON BPVOY 4 WHICH COUNTS ALL TIME INCLUDING WAITING TIME AS LAYTIME OR TIME ON DEMURRAGE IS ASKED TO WAIT FOR 6 WEEKS IN SINGAPORE AFTER LOADING – VESSEL SUBMITS LAYTIME AND DEMURRAGE CLAIM – OUR BROKER AUDITS THE SUPPORTING DOCUMENTS AND ADVISES – THER CLAIM IS SUBMITTED – HAS THE TIME BAR CLAUSE BEEN WAIVED BY THE CHARTERERS, CASUAL COMMENT FROM AN OPERATOR IN AN EMAIL ? THE CHARTERERS FINALLY REVIEW THE CLAIM AFTER 130 DAYS HAS PASSED AND POINT OUT THAT THERE ARE NO SUPPORTING DOCUMENTS FOR THE TIME SPENT WAITING AND TIME BAR THE CLAIM.



**A CASE STUDY ON AVOIDING HAVING A CLAIM TIME BARRED EVEN WHEN DOCUMENTS ARE MISSING – CASE STUDY ON STRATEGY – WHEN THINGS GO WRONG AND PUTTING THEM RIGHT**

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**COURSE DISCOUNTS\***

**US \$100 early bird discount** will be available for companies who register and make payment prior to the event.

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LAYTIME AND DEMURRAGE: BEYOND THE BASICS

LAYTIME AND DEMURRAGE UNDER  
OIL AND GAS INDUSTRY  
SALE AND PURCHASE CONTRACTS

THE CHESTERFIELD MAYFAIR HOTEL - LONDON



# LAYTIME AND DEMURRAGE: BEYOND THE BASICS

## LAYTIME AND DEMURRAGE UNDER OIL AND GAS INDUSTRY SALE AND PURCHASE CONTRACTS



### INTRODUCTION

This specialised course incorporates the practical knowledge and techniques required for the specialist professional discipline of analysing and calculating laytime and demurrage in oil and gas sales and purchase contracts.

Over the course of 2 days, course participants will learn the central concepts, principles, and techniques applied in practice - day to day - by a laytime and demurrage specialist working with oil and gas sales and purchase contracts. Upon completion, participants can perform the complex calculations required day to day.

This course benefits oil and gas industry laytime and demurrage claims personnel who negotiate and recover laytime and demurrage claims and anyone who has a responsibility for understanding and avoiding costly delays in the performance of an oil or gas contract including charterers, contracts departments, operators, post fixture executives and legal counsel.

Companies receiving our training will find that they will recover the investment in the course from the savings made on demurrage.

### COURSE PARTICULARS

**Date** 25/26 September 2024

**Length:** 2 Days (09:00 to 17:00 both days)

**Location:** The Chesterfield Mayfair Hotel - 35 Charles Street, Mayfair, London, W1J 5EB

**Cost:** US \$2,000\* per delegate

\*Under current Excise regulations delegates from companies based in the UK are required to pay VAT.

### FEATURES OF THIS COURSE

Asdem's course on sale and purchase laytime and demurrage is unique. It is the only one of its kind. It provides straightforward practical training on how to do the most challenging of laytime and demurrage analysis and negotiation. Such negotiations are the toughest because of the complexity and length of the contracts and because the negotiators are often experienced and from powerful oil company charterers.

The course explains the working of laytime and demurrage within the trade chain. The nature of the oil and gas trade and the structure and content of the special provisions and the general terms and conditions in the contract are explained. Participants are taught how to identify the contractual terms that apply to the analysis – an often overlooked and neglected skill set where conflict and inconsistencies of terms are common.

Then there is the sale and purchase contracts. With their extensive clause bank of general terms and conditions that apply, these are complex and demanding contracts which must be thoroughly analysed, understood, and applied to do an accurate laytime and demurrage analysis.

The course features ten calculations and workshops. Delegates are taught to analyse the operation and its data points that are created for the calculation; the nominations of the product, the ship on which it is carried and how these data points and the entries inform the calculation work and the laytime and demurrage analysis. The calculations reveal close interplay between estimated times of arrival, notice periods and the physical arrival of the ship at the terminal and their impact on laytime and demurrage.

Ships may be early, or they may be late, there may be no product – factors which impact on the laytime and demurrage calculation when it occurs and which we analyse in class with workshop examples.

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## COURSE SYLLABUS

THE TRANSPORTATION OF OIL – THE VOYAGE CHARTERPARTY – FREIGHT AND VOYAGE ECONOMICS - THE LAYTIME ALLOWANCE AND THE FUNCTION OF VOYAGE CHARTERPARTY LAYTIME AND DEMURRAGE REGIME

THE TRADE CHAIN - OIL AND GAS TRADING/SALE AND PURCHASE OF PRODUCTS - THE LAYTIME AND DEMURRAGE REGIME IN SUCH CONTRACTS – THE LAYTIME AND DEMURRAGE TRIANGLE - THE BACK-TO-BACK PRINCIPAL - THE RELATIONSHIP BETWEEN THE CHARTERPARTY LAYTIME AND DEMURRAGE REGIME AND THE TRADE CHAIN REGIME – LAYTIME AS PER CONTRACT AND DEMURRAGE AS PER CHARTERPARTY RATE OR CHARTERPARTY RATE TERMS AND CONDITIONS - DEMURRAGE AS AN INDEMNITY FOR THE CHARTERPARTY CLAIM – DEMURRAGE AS A STAND- ALONE CONTRACTUAL OBLIGATION – THE DUTY TO PROVIDE A COPY OF THE CHARTERPARTY.

OIL SALE AND PURCHASE CONTRACTS – THE POINT OF SALE - COMMON DISPUTES AND DIFFERENCES OVER THE TERMS OF THE CONTRACT THAT APPLY TO THE LAYTIME AND DEMURRAGE CALCULATION - THE DEAL STRUCTURE, DEAL MAKING AND KNOWING THE DEAL - DAY TO DAY CONTRACTING IN THE OIL INDUSTRY – THE FUNDAMENTAL RULES FOR FORMING A SALES AND PURCHASE CONTRACT AND THE TERMS WITHIN THE CONTRACT – THE “FOUR CORNERS” PRINCIPLE – LAYTIME AND DEMURRAGE TERMS AGREED BY TRADERS IN THE RECAP - TERMS AGREED BY OPERATORS AND CONTRACTS STAFF – CORRECTLY UNDERSTANDING THE LAST SHOT DOCTRINE AND HOW IT APPLIES TO CRYSTALLISE THE LAYTIME AND DEMURRAGE TERMS – DEALING WITH COMMON INDUSTRY MISCONCEPTIONS.

TERMS OF THE AGREEMENT – UNDERSTANDING LAYTIME AND DEMURRAGE CONTRACT TERMS - THE CONSTRUCTION OF PRINTED AND TYPED CLAUSES – CHANGING THE DEAL - THE ROLE OF THE OPERATORS AND VARIATION, WAIVER AND ESTOPPEL - “WITHOUT PREJUDICE” AND “OFF THE RECORD”

TRADING OIL AS A COMMODITY THE TRADE TERMS AND TYPES OF CONTRACT AND THE SALE AND PURCHASE CONTRACT LAYTIME AND DEMURRAGE REGIME - FOB: “FREE ON BOARD” - CIF: “COST, INSURANCE AND FREIGHT” - CFR: “COST AND FREIGHT” - DAP: “DELIVERED AT PLACE” (FORMERLY KNOWN AS DES “DELIVERED EX SHIP”) – DAT “DELIVERED AT TERMINAL - OUTTURN CONTRACTS - HYBRID OIL AND GAS SALE AND PURCHASE CONTRACTS - CIF DELIVERED - CIF WITHOUT GUARANTEED LOADING DATES - CIF DELIVERED WATERING DOWN PROVISIONS.

OIL COMPANY GENERAL TERMS AND CONDITIONS AND COMMON CLAUSES – A REVIEW OF BP GTCS 2007 AND 2015 SHELL GTCS 2010 TOTAL AND EQUINOR GENERAL TERMS AND CONDITIONS – SIMILARITIES AND DIFFERENCES – MASTER SALES AGREEMENTS – ADDITIONAL TERMS AND SPECIAL CLAUSES.

LAYTIME ALLOWANCES – USE OF LAYTIME – DEMURRAGE - DEMURRAGE AS PER CHARTER PARTY RATE, TERMS AND CONDITIONS - DELIVERY DATES AND LAYCAN PROVISIONS - PHYSICAL AND LEGAL DELIVERY OF CARGO – UNDERSTANDING WHEN DELIVERY OCCURS – APPLYING DELIVERY DATES – FIXED DELIVERY DATES – HOW TO IDENTIFY FIXED DELIVERY DATES AND THE IMPORTANCE OF DOING SO - DELIVERY WITHIN A REASONABLE PERIOD OF TIME.

ESTIMATED TIMES OF ARRIVAL AND SALE AND PURCHASE LAYTIME AND DEMURRAGE – INACCURATE ETAS AND FAILURE TO GIVE OR MISSING AN ETA AND ITS EFFECT.

NOTICE PERIODS AND NOMINATIONS – NOMINATIONS AND CHANGING THE NOMINATION AND LAYTIME AND DEMURRAGE - PRINCIPLES THAT APPLY TO THE COMMENCEMENT OF LAYTIME UNDER SALE AND PURCHASE CONTRACTS – THE START OF LAYTIME – THE CONCEPT OF ARRIVAL UNDER THE SALE AND PURCHASE CONTRACT AND THE RELATIONSHIP TO THE ARRIVAL OF THE VESSEL AND THE PRODUCT – VESSEL NORs AND SALE AND PURCHASE NORs – WHEN AND HOW THEY APPLY.

PRO RATING TIME UNDER OIL INDUSTRY SALE AND PURCHASE CONTRACTS - PRO RATING LAYTIME AND DEMURRAGE ACCORDING TO THE CONTRACT TERMS (WHEN THE CHARTERER HAS BOUGHT FROM OR SOLD TO MORE THAN ONE SUPPLIER OR RECEIVER) - PART CARGO DELIVERIES – APPORTIONING TIME – HOW MUCH TIME ARE YOU RESPONSIBLE FOR?

THE COST OF DELAY AND WAITING TIME – WAITING TIME AT OR OFF THE PORT – THE IMPLIED CONTRACT FOR REASONABLE REMUNERATION – THE COST OF ADDITIONAL OPERATIONS – DELIVERY IN ONE LOT PROVISIONS AND TAKING DELIVERY IN TWO LOTS - DISCHARGE AT ADDITIONAL BERTHS OR INVOLVING ADDITIONAL TIME AND COST – DAMAGES FOR DETENTION UNDER SALE AND PURCHASE CONTRACTS - THE AMOUNT OF DAMAGES FOR DETENTION - WAITING AND CHANGE OF ORDERS - DOCUMENTATION FOR CLAIMS - INDEMNITY PROVISIONS

DISCHARGING OPERATIONS – LIGHTERAGE – PUMPING – PUMPING PERFORMANCE CLAUSES - THE EFFECT OF SLOW PUMPING - PUMPING PERFORMANCE CALCULATIONS – THE IMPORTANCE OF AND UNDERSTANDING PUMPING LOGS – SHIP AND SHORE STOPPAGES – PUMPING PERFORMANCE CALCULATION AND WORKSHOP.

EXCEPTIONS TO THE COUNTING OF LAYTIME OR TIME ON DEMURRAGE IN OIL AND GAS SALE AND PURCHASE CONTRACTS – SCOPE OF EXCEPTIONS CLAUSES AND HOW EXCEPTIONS APPLY - WEATHER & STRIKES – CONGESTION - DIRECT AND INDIRECT LOSS OF TIME – THE ROLE OF EVIDENCE AND INVESTIGATING FACTS – LETTERS AND NOTES OF PROTEST – EFFECT OF FAULT IN PERFORMANCE ON COUNTING OF TIME – FORCE MAJEURE AND GENERAL EXCEPTIONS CLAUSES.

SALE AND PURCHASE CONTRACT TIME BARS AND RECOVERY OF DEMURRAGE – REVIEW OF TIME BAR CLAUSES DIFFERENCES WITH CHARTERPARTY CLAUSES - AND SIGNIFICANT CASE LAW – INSTRUCTOR LED CASE STUDIES AND WORKSHOP.

PRACTICAL ASPECTS - INFORMATION AND DOCUMENTS NEEDED FOR THE LAYTIME AND DEMURRAGE CALCULATION - THE RATE OF DEMURRAGE - CAN DAMAGES BE CLAIMED IN ADDITION TO DEMURRAGE? - WHAT DOES THE DEMURRAGE RATE INCLUDE? – DETENTION – THE FORMAT OF THE CALCULATIONS - WHERE TO GET THE INFORMATION NEEDED – STATEMENTS OF FACT AND BURDEN OF PROOF – THE BEST EVIDENCE RULE - TIME BARS - CHARTER PARTY TIME BARS - CONTRACTUAL TIME BARS - TIME BARS INCLUDED IN COMPANIES' GENERAL TERMS AND CONDITIONS (GT&C) - STATUTORY TIME BARS - TIME BARS AND DOCUMENTATION FOR DEMURRAGE CLAIMS - MAKING A PROFIT FROM DEMURRAGE CLAIMS - AVOIDING UNNECESSARY DISPUTES IN TRADING CONTRACTS.

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## COURSE DISCOUNTS\*

**US \$100 early bird discount** will be available for companies who register and make payment prior to the event.

**US \$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 **US \$50 discount** will be applied for each delegate. **Two-course discounts:** delegates who also register for the Fundamentals of Calculation, Negotiation and Settlement of Claims (5 September 2024) or the Laytime and Demurrage Beyond the Basics (18/19 September 2024) will receive a **\$450 discount**.

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



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## REGISTRATION AND IMPORTANT INFORMATION

**You may register for this course** by filling out a registration form which can be downloaded by clicking [here](#) and returning the completed form to [info@asdem.com](mailto:info@asdem.com). Please see the Important Information section by clicking [here](#) for additional information related to each course and conference.





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# THE ATHENS TANKER CONFERENCE

## CHARTERING OPERATIONS AND LAYTIME & DEMURRAGE

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THE ROYAL OLYMPIC HOTEL - ATHENS, GREECE



# THE ATHENS TANKER CONFERENCE

## CHARTERING OPERATIONS AND LAYTIME & DEMURRAGE



### THE IMPORTANCE OF THIS CONFERENCE

The Athens Tanker Conference is a lively one-day event held every year in the Panorama Room of the Royal Olympic Hotel which overlooks the tranquil Gardens of The Parthenon under the watchful gaze of The Acropolis. Operations professionals, laytime and demurrage analysts, negotiators, and maritime claims specialist from all over Europe and as far as Asia gather at this event to gain deeper insight and solutions to common and complex laytime and demurrage issues and dilemmas.

Guaranteed to provoke discussion and improve practical understanding, our panel of experts will share their knowledge and experience on both topics through practical presentations and case studies which will enable you to address a wide variety of often contentious issues.

If you are a tanker owner, charterer, operator, demurrage analyst or post-fixture professional working within the Greek shipping community – and beyond – attending this conference will deliver long-lasting results for you and the company you work for.

**Directly following the conference**, delegates are invited to join us for a drinks reception to spend some well-earned downtime to network with fellow delegates and meet and greet old friends and colleagues.

### CONFERENCE PARTICULARS

**Date** 18 October 2024

**Length:** 1 Day (09:15 to 17:15). Drinks reception and networking (17:30 to 19:30)

**Location:** The Royal Olympic Hotel - 28-34 Athanasiou Diakou Str. 117 43, Athens

**Cost:** €1,200\* per delegate- early bird discount available.

\*Under current Excise regulations delegates from companies based in the UK are required to pay VAT.

### CONFERENCE PROGRAMME

The papers which will be presented by our panel of industry leading experts have been designed to engage with the issues, analyse them, and participate and collaborate in a practical manner with conference participants.

Detailed and concise studies of recent case law will often be used to consider the latest legal developments and explain a more dynamic and proactive approach to operational issues and the negotiation of demurrage claims to help reduce the time and cost of commercially harmful disputes.



Conference timetable, topics and speakers will be announced in due course.

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### **COURSE DISCOUNTS\***

**€100 early bird discount** will be available for companies who register and make payment prior to the event.

**€150 loyalty discount** will be applied 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.

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LAYTIME AND DEMURRAGE UNDER OIL & GAS TANKER VOYAGE CHARTERPARTIES:

# THE FUNDAMENTALS OF CALCULATION, NEGOTIATION AND SETTLEMENT OF CLAIMS

The Robertson House Hotel / Singapore



# LAYTIME AND DEMURRAGE UNDER OIL AND GAS TANKER VOYAGE CHARTERPARTIES: THE FUNDAMENTALS OF CALCULATION, NEGOTIATION AND SETTLEMENT OF CLAIMS



## INTRODUCTION

This one-day course is for oil and gas industry professionals joining a laytime and demurrage department who require a hands-on practical introduction to the laytime and demurrage regime. Upon completion of this course and the calculations that are the feature of it you will be ready to join the department.

Professionals already working within a department who wish to refresh and update their knowledge of the workings of the laytime and demurrage regime will find this class suitable to their needs.

This course has been designed as a foundation level course for those attending our laytime and demurrage: beyond the basics and/or our laytime and demurrage under sale and purchase contracts. If you are an experienced laytime and demurrage analyst and negotiator you will find these courses suitable to your continued education within the laytime and demurrage landscape.

## COURSE PARTICULARS

**Date** 8 November 2024

**Length:** 1 Day (09:00 to 17:00)

**Location:** The Robertson House Hotel, 1 Unity Street, Singapore

**Cost:** SG \$1,200\* per delegate

\*Under current Excise regulations delegates from companies based in the UK are required to pay VAT.

## FEATURES OF THIS COURSE

The principal feature of this course is its focus on a practical hands-on approach. The curriculum follows the life of a voyage – which starts with the creation of the voyage charterparty contract and the type and terms of the laytime and demurrage regime that the various voyage charters offer, laytime allowances and rates of demurrage and other clauses necessary to do the calculations.

We join the ship as it starts the approach voyage to the place where it will load the product. We look at the requirements and the condition of the ship, its location and tendering of NOR to start laytime running, we explain the concept of counting time – what time counts and what time does not count and how exceptions work.

Once hoses are off and documents are on board we examine how and when the clock stops and prepare a load port laytime and demurrage calculation. We journey with the ship on its laden passage noting the use of interim

ports or waiting places and calculations that may need to be prepared for these events and interim operations before arrival at the discharge port. At the discharge port NOR is once again tendered and the ships pumps are put to work to discharge the cargo. The pumping operation and discharge port calculation is prepared.

Once the voyage has ended a laytime and demurrage statement is prepared for the entire voyage. The class examines the requirements for submitting the claim on time and correctly documented. The life of the voyage ends with the negotiation and settlement process and closure of the file.

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## COURSE SYLLABUS

**THE OIL TRADING LANDSCAPE AND THE DEMAND FOR TANKERS** – THE TRADE CHAIN AND THE CHARTER CHAIN – THE LAYTIME AND DEMURRAGE TRIANGLE – FREIGHT LAYTIME ALLOWANCE RATES OF DEMURRAGE – THE SHIP OWNER'S POSITION AT THE END OF THE PAYMENT CHAIN – KNOWING THE MARKET KPIs AND CLAIMS RECOVERIES – COMMON STRATEGIES USED BY CHARTERERS TO REDUCE DEMURRAGE

**THE VOYAGE CHARTER** – STRUCTURE OF CHARTER - MAIN CHARTER FORMS - THE ROLE OF FREIGHT LAYTIME AND DEMURRAGE CLAUSES

**UNDERSTANDING THE LAYTIME AND DEMURRAGE REGIME** – THE ESSENTIAL DATA POINTS FOR THE SHIP OWNER – THE LAYTIME AND DEMURRAGE CODE – 'CLOCK ON' AND 'CLOCK OFF' – NORs – THE ARRIVED SHIP – PORT AND BERTH CHARTERS – SHIFTING TIME – THE READY SHIP – LEGAL READINESS AND FORMALITIES – FREE PRATIQUE, CUSTOMS CLEARANCE, IMMIGRATION CLEARANCES – CASE STUDY AND CALCULATIONS

**DETENTION DEVIATIONS AND WAITING TIME** – USING THE RATE OF DEMURRAGE – DEVIATION CALCULATION AND CASE STUDY – DOCUMENTATION ALLOWANCES – EXPLANATION OF DETENTION – DETENTION – CASE STUDY – THE REACHABLE ON ARRIVAL WARRANTY

**EXCEPTIONS AND INTERRUPTIONS** – THE COUNTING OF TIME – UNDERSTANDING HOW TO APPLY INTERRUPTIONS AND EXCEPTIONS – CAUSATION

**PUMPING PERFORMANCE AND PUMPING LOGS** – WITH PUMPING CALCULATION AND CASE STUDY

**PREPARING A LAYTIME AND DEMURRAGE STATEMENT/CALCULATION** – COUNTING TIME – SOURCES OF INFORMATION – DATA POINTS – STATEMENTS OF FACTS – TYPES OF STATEMENTS OF FACTS – OPERATIONS DOCUMENTS – SHIPS LETTERS OF PROTEST AND NOTES OF PROTEST

**SUBMITTING CLAIMS** – DOCUMENTS, CALCULATIONS, LAYTIME STATEMENTS AND INVOICES

**TIME BARS AND SUPPORTING DOCUMENTS – PRACTICAL SESSION ON ENSURING COMPLIANCE**

UNDERSTANDING THE CLAUSE AND HOW THEY WORK – NOTIFICATION CLAUSES AND TIME BAR CLAUSES – THE CHARTERER AS YOUR AUDITOR – SUPPORTING DOCUMENTS – WHEN AND HOW TO SUBMIT THE CLAIM

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## COURSE DISCOUNTS\*

**SG \$100 early bird discount** will be available for companies who register and make payment prior to the event.

**SG \$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 **SG \$50 discount** will be applied for each delegate. **Two-course discounts:** delegates who also register for Laytime and Demurrage: Beyond the Basics (11/12 November 2024) will receive a **SG \$450 discount**.

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

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## MCF TRAINING GRANT

We are currently seeking MCF Training Grant approval for Singaporean Citizens and Permanent Residents who would like to attend this course. We will notify all eligible delegates once approval is granted.

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## REGISTRATION AND IMPORTANT INFORMATION

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LAYTIME AND DEMURRAGE UNDER OIL &  
GAS TANKER VOYAGE CHARTERPARTIES:  
BEYOND THE BASICS

The Robertson House Hotel / Singapore



# LAYTIME AND DEMURRAGE UNDER OIL AND GAS TANKER VOYAGE CHARTERPARTIES: BEYOND THE BASICS



## INTRODUCTION

This two-day course is for analysts who have attended our one-day LAYTIME AND DEMURRAGE UNDER OIL AND GAS TANKER VOYAGE CHARTERPARTIES: THE FUNDAMENTALS OF CALCULATION, NEGOTIATION AND SETTLEMENT OF CLAIMS course. This course is also suitable for experienced laytime and demurrage analysts, operators, claims handlers and lawyers who already have a high level of expertise which they are looking to build on and those which have previously attended Asdem's laytime and demurrage training seminars and conferences.

In demurrage negotiations, the person with the greatest knowledge and experience is best placed to find opportunities for saving money. 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. The investment in attending this course will be repaid many times over by the savings made.

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** 11/12 November 2024

**Length:** 2 Days (09:00 to 17:00 both days)

**Location:** The Robertson House Hotel, 1 Unity Street, Singapore

**Cost:** SG \$2,000\* per delegate

\*Under current Excise regulations delegates from companies based in the UK are required to pay VAT.

## 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 tanker voyage charter party laytime and demurrage and undertakes a detailed look at the working of the regimes. It focuses on the principles that apply, how the contract works and dispels common misconceptions. The emphasis is on understanding and learning.

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.

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## **COURSE SYLLABUS**

**THE OIL AND GAS VOYAGE CHARTERPARTY AND THE COMMERCIAL LANDSCAPE** – THE PRINCIPAL CHARTERPARTY FORMS – ASBATANKVOY (+UPCOMING REVISION BY ASBA) – BPVOY 4 AND BPVOY 5 – COMMENTARY ON THE MOST POPULAR OF FORMS WITH A WORKSHOP SESSION ON PITFALLS – BERTH CHARTERS SHELLVOY 5 AND 6 – EXXONMOBIL 2012 AND NOTABLE CHARACTERISTICS OF THIS FORM – CHOICE OF CHARTERPARTY – SHIPOWNERS CONSIDERATIONS AND PERSPECTIVE

**MAKING THE CHARTERPARTY CONTRACT** – THE CHARTERPARTY FIXTURE RECAP – THE ROLE OF INCORPORATION OF ADDITIONAL LAYTIME AND DEMURRAGE TERMS AND THE CHARTERPARTY FORM – THE FOUR CORNERS OF THE CHARTERPARTY CONTRACT – ITS STRUCTURE PARTS, TERMS AND CONDITIONS AND – PRACTICAL RULES FOR UNDERSTANDING THE SOMETIMES COMPLEX AND CONFLICTING CLAUSES USED IN ADDITIONAL TERMS AND BROKER RECAPS

**FREIGHT – LAYTIME ALLOWANCE – DEMURRAGE – DAMAGES FOR DETENTION** – THE CENTRAL ROLE OF FREIGHT AND THE DAILY RATE OF COMPENSATION FOR LOST FREIGHT (DEMURRAGE) – THE ROLE OF LAYDAYS LAYCAN CANCELLING DATES AND COMMENCEMENT DATES IN THE LAYTIME AND DEMURRAGE REGIME

**VOYAGE ANALYSIS AND LAYTIME AND DEMURRAGE** – FOUR STAGES IN THE PERFORMANCE OF THE VOYAGE – VOYAGE STAGES AND THEIR OBLIGATIONS – OPERATIONS STAGES – LOADING AND DISCHARGING AND THEIR OBLIGATIONS – ANALYZING LAYTIME AND DEMURRAGE USING VOYAGE STAGES

**APPROACH VOYAGE** – THE SHIP – SHIP OWNERS DUTIES – THE ROLE OF ESTIMATED TIMES OF ARRIVAL AND LAYTIME AND DEMURRAGE – LAYDAYS AND COMMENCEMENT DATES – MISSING AND INCORRECT ETAS

**THE END OF SEA PASSAGE** – ARRIVAL OF THE SHIP AT OR OFF THE PORT AND TRIGGERING THE REACHABLE ON ARRIVAL (ROA) WARRANTY – BERTH REACHABLE ON ARRIVAL – PROCEEDING STRAIGHT TO BERTH – ANCHORING AND WAITING – INNER AND OUTER ANCHORAGES – INWARD PASSAGES – SHIFTING TIME TO BERTH – SHIFTING OUT OF BERTH – SHIFTING BETWEEN BERTHS – TIME ON DEMURRAGE

### **THE THREE CONDITIONS TO START THE LAYTIME AND DEMURRAGE CLOCK**

**1. THE ARRIVED SHIP – LOADING AND DISCHARGING PORTS PLACES AND BERTHS** – THE PLACE OF ARRIVAL – PORTS – ARRIVAL IN PORT – CUSTOMARY ANCHORAGE AND ANCHOR DOWN – BPVOY4/5 CONCEPT OF A VALIDLY TENDERED NOR BECOMING AN EFFECTIVE NOR FOR STARTING THE LAYTIME AND DEMURRAGE CLOCK

**2. READINESS OF THE SHIP** – THE READY SHIP CONCEPT – WHAT IS THE STANDARD OF READINESS – WHAT DOES MEETING THE STANDARD REQUIRE DAY TO DAY COMMERCIALY – TANK CLEANLINESS AND READINESS – IMPACT ON LAYTIME OR TIME ON DEMURRAGE

**FORMALITIES** – FREE PRATIQUE – CUSTOMS – IMMIGRATION AND OTHER CLEARANCES AND IMPACT ON NOR AND READINESS OF THE TANKER

**DOCUMENTATION AND LEGAL READINESS** – SHIP CERTIFICATION – TANKER VESSEL EXAMINATION LETTER – PORT REGULATIONS – PORT STATE CONTROL

**3. THE NOTICE OF READINESS** – THE CONTENT AND FORM OF THE NOTICE OF READINESS – WHO TO TENDER TO – TENDER TO AGENTS AND TERMINAL – ACCEPTANCE OF NOR – CHARTERERS WAIVER AND ACCEPTANCE OF A DEFECTIVE NOR – UNDERSTANDING THE IMPORTANCE OF THE HAPPY DAY AND OTHER CASE LAW ON ACCEPTANCE OF NORs BY TERMINALS ON BEHALF OF CHARTERERS

### **CASE STUDY ON THE START OF TIME UNDER VARIOUS CHARTERPARTIES**

**ASPECTS OF LAYTIME AND DEMURRAGE CLAIMS, BUNKERING DRIFTING AND SHIFTING** – SHIP OWNERS OBLIGATION TO BE AT THE IMMEDIATE AND EFFECTIVE DISPOSITION OF ITS CHARTERER – BUNKERING IN



A LINE UP, BUNKERING AFTER LOADING, TAKING ON BUNKERS DURING THE VOYAGE, STORES AND PROVISIONS – UNDERSTANDING THE SHIFTING EXCEPTION

**THE COUNTING OF TIME ONCE THE CLOCK STARTS** – THE OWNERS MANTRA ON THE COUNTING OF TIME – TIME COUNTS UNLESS AN EXCEPTION APPLIES UNDER THE CONTRACT OR THE OWNER IS AT FAULT AS A MATTER OF LAW

**WORKING WITH EXCEPTIONS AND INTERRUPTIONS** – ANALYSIS OF THE LAYTIME AND DEMURRAGE REGIMES UNDER THE VARIOUS CHARTERS AND A COMPARISON OF THE WAY THESE EXCEPTIONS REGIMES DIFFER IN PRACTICE – ANALYSIS OF EXECPTIONS – THE EXCEPTED EVENT – CAUSATION – CASE STUDY – THE BUT FOR TEST AND THE MEANING OF TIME SPENT OR LOST (BPVOY4/5) – THE DEEMING PROVISIONS OF CL 14 OF EMVOY 2012 – AMBIT OF EXCEPTIONS IN SHELLVOY5/6

**THE END OF LAYTIME OR TIME ON DEMURRAGE** – HOSES OFF – DUTY TO TAKE HOSES OFF PROMPTLY – CASE STUDY - DOCUMENTATION – DEPARTURE FOR DISCHARGE PORT OR END OF CHARTER

**THE LOADED VOYAGE** – DELAYS AND INTERRUPTIONS TO THE VOYAGE AND RESPONSIBILITY FOR TIME

**INTERIM PORTS – WAITING FOR INSTRUCTIONS OR ORDERS** – CALCULATION AND COST OF TIME WAITING – DAMAGES FOR DETENTION – QUANTUM MERUIT BASIS OR CALCULATED ACCORDING TO CHARTER PROVISIONS

**CARGO DISCHARGE OPERATIONS** – RESTARTING THE LAYTIME AND DEMURRAGE CLOCK – THE RUNNING OF LAYTIME AND TIME ON DEMURRAGE AT THE DISCHARGE PORT – DISCHARGE PORT NORs

**PUMPING – PUMPING PERFORMANCE WARRANTIES** – UNDERSTANDING THE WARRANTY AND HOW IT WORKS

**PUMPING PERFORMANCE CALCULATIONS** – THE IMPORTANCE OF PUMPING LOGS – SHIP AND SHORE STOPPAGES – THE IMPORTANCE OF THE MASTERS NOTE OF PROTEST – SIGNING DOCUMENTS FOR RECEIPT – CALCULATION AND CASE STUDY

**PRO RATING OF TIME BETWEEN SEVERAL RECEIVERS** – THE PRINCIPLES EXPLAINED AND WITH CALCULATIONS

## **TIME BARS AND RECOVERY OF DEMURRAGE**

UNDERSTANDING TIME BARS AND THE TIME BAR LANDSCAPE – TYPES OF TIME BAR – CONTRACTUAL AND STATUTORY – TIME BARS REQUIRING NOTICE OF CLAIMS WITHIN A LIMITED PERIOD OF TIME – CLAUSES WHICH REQUIRE CLAIMS TO BE SUBMITTED WITHIN A LIMITED PERIOD OF TIME – CLAIMS TO WHICH TIME BARS APPLY AND CLAIMS TO WHICH TIME BARS DO NOT APPLY – PROVISIONS APPLYING TO MECHANISM FOR NOTIFICATION OF CLAIMS – SUPPORTING DOCUMENTS – THE MEANING OF THE EXPRESSION – NAMED DOCUMENTS AND DOCUMENTS NOT EXPRESSLY NAMED – SUPPORTING A CLAIM WITH DOCUMENTS AND PROVING A CORRECTLY DOCUMENTED CLAIM

## **FINAL SESSION – CASE STUDIES WITH QUESTION-AND-ANSWER SESSION ON ISSUES AND PROBLEMS FACED DAY TO DAY**

**ASBATANKVOY CHARTERPARTY CASE STUDY** – VESSEL FIXED FOR FE ON WS BASIS 1:1 GOING EAST TO ASIA AFTER LOADING IN THE GULF CONTRACT IS COMPLICATED AND IN 4 PARTS AND FEATURES AN ESTIMATED 150 + TERMS IF IT WERE DRAWN UP IN FULL – VESSEL TAKES AN OPTION TO GO THE USGC – AT THAT TIME A LOW SULPHUR ‘REGION’ – CARGO IS DISTRESSED AND HAS TO BE SOLD IN PARCELS – WE FOLLOW THE LIFE OF THE VOYAGE AND DO THE LAYTIME AND DEMURRAGE CALCULATION

**BPVOY 4 CASE STUDY** – MEASUREMENT OF CARGO LOADED – SURVEYOR HAS DIFFERENT MEASUREMENTS – ULLAGING OF TANKS – DELAYS AND ATTENDANCE FROM THE SHORE BY P+I CLUB – RESPONSIBILITY FOR TIME LOST AND LAYTIME AND DEMURRAGE CALCULATION

### **TIME BAR CASE STUDIES**

**BPVOY 4 TIME BAR CASE STUDY** – A VESSEL FIXED ON BPVOY 4 WHICH COUNTS ALL TIME INCLUDING WAITING TIME AS LAYTIME OR TIME ON DEMURRAGE IS ASKED TO WAIT FOR 6 WEEKS IN SINGAPORE AFTER LOADING – VESSEL SUBMITS LAYTIME AND DEMURRAGE CLAIM – OUR BROKER AUDITS THE SUPPORTING DOCUMENTS AND ADVISES – THER CLAIM IS SUBMITTED – HAS THE TIME BAR CLAUSE BEEN WAIVED BY THE CHARTERERS, CASUAL

COMMENT FROM AN OPERATOR IN AN EMAIL ? THE CHARTERERS FINALLY REVIEW THE CLAIM AFTER 130 DAYS HAS PASSED AND POINT OUT THAT THERE ARE NO SUPPORTING DOCUMENTS FOR THE TIME SPENT WAITING AND TIME BAR THE CLAIM.

**A CASE STUDY ON AVOIDING HAVING A CLAIM TIME BARRED EVEN WHEN DOCUMENTS ARE MISSING – CASE STUDY ON STRATEGY – WHEN THINGS GO WRONG AND PUTTING THEM RIGHT**

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### **COURSE DISCOUNTS\***

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### **MCF TRAINING GRANT**

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ASDEM 

SINGAPORE

14 November 2024



THE ASIAN TANKER CONFERENCE  
DELAY CLAIMS  
IN THE TANKER INDUSTRY

The Robertson House Hotel / Singapore



# THE ASIAN TANKER CONFERENCE DELAY CLAIMS IN THE TANKER INDUSTRY



## THE IMPORTANCE OF THIS CONFERENCE

Asdem's Asian Tanker Conference will focus on the critically important topic of delay claims which can affect all parties in the oil and tanker industry supply chain – seller, buyer, charterer and ship owner – and from the well head to the end receiver. Delegates will hear practical presentations from leading industry experts on the very latest case law developments and how to avoid time-consuming and costly delays for their company.

This conference provides an important opportunity to review the latest terms and, in certain cases, the courts' interpretation of them by focusing on the most recent developments in laytime and demurrage law. If your responsibilities include the handling of demurrage claims or the operation or negotiation of charter party contracts, attending this conference will deliver long-lasting results for you and your company.

To ensure a highly effective and focused learning opportunity for our delegates, we will be organising a panel of industry experts who come from a range of disciplines to share their knowledge and experience. We are also organising speakers who represent the ship owners and charterers, as well as lawyers who regularly work with both sides.

This conference will also provide delegates with a valuable opportunity to share ideas, become aware of the latest trends and network with each other. A drinks reception and dinner, which will immediately follow this event, is included in the conference fee.

## CONFERENCE PARTICULARS

**Date** 14 November 2024

**Length:** 1 Day (09:15 to 17:15). Drinks reception and conference dinner (17:30 to 20:30)

**Location:** The Robertson House Hotel, 1 Unity Street, Singapore

**Cost:** SG \$1,200\* per delegate

\*Under current Excise regulations delegates from companies based in the UK are required to pay VAT.

## CONFERENCE PROGRAMME

The papers which will be presented by our panel of industry leading experts have been designed to engage with the issues, analyse them, and participate and collaborate in a practical manner with conference participants.

Concise studies of recent case law will often be used to consider the latest legal developments and explain a more dynamic and proactive approach to operational issues and the negotiation of delay claims to help reduce the time and cost of commercially harmful disputes.



Conference timetable, topics and speakers will be announced in due course.

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## PRESENTER'S PROFILES

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### ANDREW WILDING

**Andrew Wilding is the Managing Director of Asdem**, and a maritime lawyer qualified to practice law professionally in England (1988) 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, national oil companies, oil majors, multi-national oil and product 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 the industry advisor to the Naphtha Industry in Asia and organizes the annual Open Specification Form Naphtha meeting and travels frequently to chair industry meetings and discussion groups. Andrew is also responsible for drafting the general terms and conditions for the Naphtha trade in Asia and recently drafted new general terms and conditions terms for the trade of Naphtha in Europe.

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 for the oil and gas industry.

Andrew provides professional training services to the laytime and demurrage departments of oil and gas 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.

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### CRAIG WALL

**Craig Wall has worked in and for operations departments as an in house and third-party loss control consultant for over 20 years** and runs his own loss control company, Petrus Cargo Assurance Services.

Craig has been a chemist, cargo inspector, sample man through to company director running cargo inspection operations throughout the world. He knows the pitfalls of cargo inspection and provides a no-nonsense explanation of where the main problems arise and why. He does not pull any punches when it comes to apportioning blame no matter where it lies.

Most importantly Craig can advise how to best mitigate cargo losses, cargo claims and sleepless nights by promoting technical knowledge, well written cargo assurance procedures and effective use of loss control superintendents. Craig will discuss general custody transfer issues for both ship and shore, cargo losses, claims, roles, inspection companies, cargo assurance procedures and many more useful areas.

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### AMOL R. DESHMUKH

**Captain Amol R. Deshmukh is a Master Mariner with an L.L.B L.L.M degree in Maritime law** from the University of Southampton. Amol has over 27 years of experience in the maritime industry.

Amol spent over eleven years at sea during which he served with various major tanker operators which allowed him to gain significant experience on crude oil, product and chemical tankers.

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Previously, he set up and headed the global shipping claims team at a major tanker and bulk carrier Owner. During his tenure there, he spent considerable time in analysing and negotiating demurrage claims and acted as the first point of contact for all shipping disputes within the group's fleet of owned and chartered vessels.

Amol's role involved providing legal advice to the commercial team and liaising with P&I Clubs, correspondents, surveyors, and solicitors to ensure prompt and efficient handling of claims and disputes. Amol was also closely associated with the major IG Clubs and managed a variety of claims related to demurrage, charter parties, bills of lading, cargo, crew, collision, allision, grounding and general average.

In his present role, Amol is Head of Marine Claims & Insurance at Aeghiscorp Maritime Ventures, who act as P&I correspondents out of India for various IG P&I Clubs as well as fixed premium underwriters.

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## IMPORTANT INFORMATION WHICH APPLIES TO ALL COURSES AND CONFERENCES

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### COURSE/CONFERENCE DISCOUNTS

Discounted course/conference pricing is available for each event. These discounts include early bird registrations discounts, Asdem loyalty discounts – for those who have attended prior Asdem course and conferences – discounts for 3 or more delegates from the same company, and discounts for those who would like to register their attendance on multiple training courses.

Please see the DISCOUNTS information within each section of this catalogue for complete details.

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### COURSE/CONFERENCE COSTS INCLUDE

The fee for each event includes refreshments, buffet lunch, morning and afternoon tea and coffee, event training manual and reference materials and a certificate of attendance. A drinks reception is included in the cost of both conferences. Dinner is also included in the cost of the Asian Tanker Conference in Singapore.

The fee for each event does not include accommodation.

If you require accommodation, we will be happy to provide the contact information for the venue which is hosting the event you are interested in attending. You may also contact us for a list of alternatively priced hotels conveniently located near the event venue.

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### REGISTRATION

You may register for any course in this catalogue by filling out the registration form linked to the last page of each course or conference in this catalogue. Once completed, please return the form to [info@asdem.com](mailto:info@asdem.com).

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### 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](mailto: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.

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### 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](mailto:info@asdem.com).

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### COURSE/CONFERENCE ORGANISERS – ASDEM

ASDEM is the leading independent consultancy providing specialised services to the oil industry including all oil majors, major oil and chemical companies, international traders, tanker 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 oil industry dispute

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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 on topics such as laytime and demurrage, oil operations, tanker chartering, loss control, refining, and more. We also advise on the drafting of standard form tanker charterparties, oil industry sale and purchase contract terms and conditions.

With an established and market-leading reputation in the oil industry, 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.

In-house training can also be provided on fundamental and advanced laytime and demurrage, sale and purchase contracts, inspection, quality issues, petroleum technology, blending, oil operations, risk management and tanker chartering. Contact us at [info@asdem.com](mailto:info@asdem.com) for more details.



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**COMPLEX PROBLEMS**  
understood

**STRAIGHTFORWARD ANSWERS**  
provided

**EFFECTIVE SOLUTIONS**  
achieved

**SETTING STANDARDS**  
state-of-the-art education  
and training for the oil and gas industry

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A large oil tanker is shown at sea at night, illuminated by its own lights and the lights of several tugboats surrounding it. The ship's deck and superstructure are clearly visible against the dark water and sky.

**ASDEM – INDEPENDENT AND IMPARTIAL ADVISERS AND PROFESSIONAL TRAINING SERVICES PROVIDER TO THE OIL AND GAS INDUSTRY**

## UNDER CONSIDERATION FOR 2024

- THE EUROPEAN OIL BARGE LAYTIME AND DEMURRAGE WORKSHOP / ROTTERDAM
  - OIL AND GAS INDUSTRY CARGO OPERATIONS, CARGO ASSURANCE AND LOSS CONTROL / LONDON
  - LAYTIME AND DEMURRAGE FOR THE DRY BULK INDUSTRY / ATHENS & INDIA
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## COMING IN 2025 – MARK YOUR CALENDARS!

**28/29 January / London**

ASDEM'S 18TH INTERNATIONAL CONFERENCE ON OIL INDUSTRY LAYTIME AND DEMURRAGE

**31 January / London**

THE LONDON TANKER OPERATORS PARTY

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## CONTACT INFORMATION

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