



The practical voice of shipping

BIMCO MASTERCLASS

OFFSHORE, PROJECT AND HEAVYLIFT CHARTERING

The Masterclass provides an integrated understanding of the contractual complexities involved in the multi-model transportation of super-size cargoes and the management of commercial and contractual risks and liabilities.

Rotterdam
12-13 November 2024

 **BIMCO TRAINING**

DAY 1

OVERVIEW

09:00-09:30 INTRODUCTION TO THE DOCUMENTARY WORK OF BIMCO

- Drafting BIMCO standard contracts and clauses
- Working with sub-committees to draft new contracts and clauses
- The BIMCO Explanatory Notes as a tool for guidance in understanding the thinking behind the contracts

09:30-10:30 Principles of English contract law and their relevance to project and heavylift contracts:

- dispute resolution clauses
- principles of interpretation
- breach of contract
- repudiation
- damages
- force majeure and frustration
- express termination rights.

10:30-10:45 Break

10:45-11:45 Multi-Contract Projects

- Overview: SUPPLYTIME, WINDTIME, ASVTIME, HEAVYCON, HEAVYLIFTVOY, TOWCON, TOWHIRE, PROJECTCON, BARGEHIRE
- The adoption of parts of the BIMCO forms within Charterers in house terms
- The relationship between BIMCO forms and construction/service contracts.
- How does the scope of work fit into the BIMCO suite of offshore forms?
- Project delay and Adverse weather – are they appropriate for BIMCO forms?
- Using SUPPLYTIME for specialist services

11:45-12:45 Knock-for-knock and general issues of insurance:

- Understanding the knock-for-knock principle
- The reasoning behind knock-for-knock
- How knock-for-knock operates
- Liabilities covered by the charterer under the BIMCO forms
- Gross negligence and willful misconduct
- Reasons to agree or not to agree on knock-for-knock
- Consequential loss exclusions

- Vessel tonnage limitation

12:45-13:30 LUNCH

SUPPLYTIME 2017

13:30-14:30 Commercial/practical introduction to SUPPLYTIME 2017

- What is SUPPLYTIME?
- How does the form work?
- Is it owner-friendly?
- key clauses in SUPPLYTIME 2017.

14:30-15:30 Using SUPPLYTIME for other types of business than OSVs/AHTs.

- The SUPPLYTIME form currently has two optional annexes Annex A (which deals with Vessel Specifications) and Annex B (which deals with insurance). The new optional annexes allow users to make amendments appropriate to their individual projects: (Annex C) Helicopter and Helideck Operations (Annex D) Extended Offshore Operations (Annex E) Crew Qualifications (Annex F) Walk to Work, DP Operations

15:30-17.00 Case Study Workshop and general Q&A – discussion between trainers and participants

DAY 2

TOWAGE CONTRACTS

09:00-10:00 TOWCON/TOWHIRE 2008/2021 I:

- place of departure and delivery
- seaworthiness and tow-worthiness.

10:00-10:15 Break

10:15-11:15 TOWCON/TOWHIRE 2008/2021 II:

- early termination
- deviation and slow steaming
- vessel maintenance
- breakage of gear, salvage situations, “no claim for salvage” clauses and other common issues

HEAVYCON 2007

11:15-12:30 HEAVYCON 2007

- Structure of the form: Part I, II and Annex A and their interrelation
- Charterers' responsibility for cargo; clause 2; certificate of weight and drawings
- Right to substitute before cancelling date; clause 20
- Right to terminate before commencing loading; clause 21
- Condition of the cargo and the approval of transportation; clause 11
- Loading and discharge – equipment, seafastening/lashing; clause 4
- Scope of work – Annex A; working with the “tick-boxes”
- The voyage
- Laytime and cancellation provisions, clauses 8-13
- Common areas for disputes

12:30-13:15 Lunch

HEAVYLIFTVOY 2007

13:15-14:30: HEAVYLIFTVOY I

- The transition from CONLINEBOOKING Note to a specialist voyage C/P
- Charterers responsibility for cargo preloading
- Making the vessel seaworthy
- Loading and discharging - Free-In and Liner-In Hook
- Loading additional cargoes and rotation of loading/ discharging ports
- Cargo discrepancies

14.30-14.45 Break

14.45-15.45: HEAVYLIFTVOY II

- Swell, port congestion and time waiting for berth
- Freight demurrage and detention
- Bill of Lading – HEAVYLIFTVOYBILL
- Merchant's option to terminate
- Liability issues - Defence of insufficient packing, Deck cargo, walk through Cl. 26 and the two law regimes US/English Law

15.45 - 17.00: Case Study Workshop – Multi Contract Issues

Navigating Issues and Tensions Between BIMCO Forms and Specialist Contracts in Offshore Energy Asset Projects. Participants will engage in a scenario-based exercise grounded in real-world examples. This exercise will highlight the common issues and tensions between BIMCO forms and specialist contracts

during the construction and maintenance of offshore energy assets.

This delegate-led activity will serve as a catalyst for broader discussions on contractual challenges within the offshore energy sector.



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