



 **BIMCO TRAINING**

BIMCO

MASTERCLASS
TANKER CHARTER PARTY WORKSHOP

Hong Kong
29-30 April 2026



DAY 1

Introduction

During the voyage chartering sessions, we discuss various issues and contracts. Still, the primary focus will be on the similarities and differences between ASBATANKVOY, BPVOY 4 and 5, EXXONMOBILVOY and SHELLVOY 5 and 6.

09:00-10:30

The shipowner's duties:

- To provide a seaworthy vessel
- To properly and carefully care for the cargo
- To proceed with reasonable despatch
- Cancellation clauses
- Deviation
- NOR and laytime and Demurrage disputes.

This session will explore some of the shipowner's fundamental legal and contractual duties. These obligations include providing a seaworthy vessel, ensuring the proper handling of the cargo, and proceeding with reasonable despatch on the sea voyage – and the implications and reasons for contractual and non-contractual deviations. We will also cover important contractual elements, such as cancellation clauses, which provide grounds for contract termination.

10:30-10:45

Break

10:45-12:15

The charterer's duties:

- Safe cargo issues in the tanker trades. Compliance with safety protocols, cargo loading and discharge procedures
- Payment of freight/deadfreight. The charterer's obligations regarding freight payments, including the timing, methods, and implication of late payment. The session will also cover deadfreight issues, exploring scenarios where deadfreight charges may apply and the contractual implications
- Port/terminal nominations and the charterer's role. Discussions will include port restrictions, managing berth availability, and negotiating nomination terms in charter party agreements.

This session will examine the legal issues surrounding the charterer's duties in tanker

trades. It will begin by addressing the legal obligations related to safe cargo handling, including compliance with safety protocols and the legal implications of improper cargo loading and discharge procedures. The session will also cover the legal aspects of freight payments, focusing on the charterer's obligations regarding the timing and method of payment, the legal consequences of late payments and the conditions under which deadfreight charges may be applied, along with their contractual ramifications. Lastly, we will explore the legal considerations involved in port and terminal nominations, including issues related to port restrictions, berth availability and the legal framework for negotiating nomination terms in charter party agreements.

12:15-13:00

Lunch

Time charters

During the time chartering sessions, we discuss a wide range of issues and contracts, but the primary focus will be on the similarities and differences between BPTIME 3, SHELLTIME 4 and ExxonMobil TIME 2000.

13:00-14:15

Time charter duration and re-delivery:

- Overlap/underlap
- Illegitimate last voyages
- Express and implied tolerances
- Last voyage clauses
- "Without guarantee".

This session will analyse the essential legal aspects of time charter duration and re-delivery. Key topics will include the concepts of overlap and underlap, exploring how these affect the timing of vessel redelivery. We will also examine the issue of illegitimate last voyages, focusing on situations where the final voyage may not align with the agreed terms. The session will cover both express and implied tolerances, clarifying how they impact the re-delivery process. Additionally, we will analyse last voyage clauses and discuss the legal implications of "without guarantee" provisions in time charter agreements.

14:15-14:30

Break


DAY 1 *(continued)*

14:30-15:30

Payment of hire and off-hire disputes:

- Payment on time
- Allowed deductions
- Methods of payment
- Methods of payment of the value of bunkers at delivery
- Remedies for non-payment of hire
- Withdrawal of vessel from charterers' service
- Anti-technicality clauses
- Suspension of service.

In this session, we will address the key legal issues related to payment of hire and off-hire disputes. Topics will include the legal requirement for payment on time and the circumstances under which deductions may be made from hire payments. We will discuss the various methods of payment, including the payment for bunker upon delivery/redelivery, and explore the remedies available for non-payment of hire. Additionally, we will cover the legal implications of withdrawing a vessel from the service, the role of anti-technicality clauses, and the legal framework for suspending service due to payment issues.

10:30-10:45

Case study 1

DAY 2

09:00-10:30

Bills of lading:

- The three key functions of bills of lading in tanker charter parties
- Bill of lading and its interaction with the voyage charter party, the sale contract and the letter of credit
- The Hague and Hague-Visby Rules
- Letters of Indemnities in the tanker trades. The P&I Position and the commercial handling.

In this session, we will explore the critical legal issues related to bills of lading in tanker charter parties. We will begin by examining the three primary functions of a bill of lading, including its role as a receipt, contract of carriage, and document of title. The session will then focus on the interaction between the bill of lading and key documents such as the voyage charter party, sale contracts and letters of credit. Additionally, we will analyse the legal frameworks of the Hague and Hague-Visby Rules and address the use of Letters of Indemnity in the tanker trades, discussing both the P&I position and the commercial considerations involved.

10:30-10:45

Break
Cargo issues

10:45-12:15

Loading and discharging disputes:

- Cargo sampling
- Commingling or blending cargo
- Tank cleaning and cargo readiness
- Intertanko's five standards of tank cleanliness
- Cargo retention and ROB clauses
- Contamination disputes
- Shortage disputes
- Evidence, documentation, time bar.

This session will examine the legal issues surrounding loading and discharging disputes in the tanker industry. Topics will include the legal aspects of cargo sampling and the

DAY 2 *(continued)*

implications of commingling or blending cargo. We will explore the responsibilities regarding tank cleaning and cargo readiness, referencing Intertanko's five standards of tank cleanliness. The session will also address the legal concerns surrounding cargo retention, ROB (Remaining On Board) clauses, and contamination and shortage disputes. Additionally, we will discuss the role of evidence and documentation in these disputes, including the time bar for raising claims and the legal consequences of failing to meet deadlines.

12:15-13:00 *Lunch*

13:00-14:15

Oil major vetting and approvals:

- Overview of vetting and inspection clauses
- The difference between vetting and approval
- Vetting in practice. The approval processes
- The warranty provided by the carrier.

This session will explore the legal issues surrounding oil major vetting and approvals within the tanker industry. We will begin with an overview of vetting and inspection clauses commonly found in charter party agreements, examining their legal significance. The session will distinguish between vetting and approval processes, highlighting the legal nuances between the two. We will also discuss how vetting and approval processes are conducted in practice. Lastly, we will review the warranty provided by the carrier in relation to these procedures, focusing on the legal responsibilities and potential liabilities involved.

14:15-14:30 *Break*

14:30-15:30

Introduction to Letters of Indemnity (LOIs) in commercial shipping:

- Overview of LOIs: What they are and why they are a common practice in commercial shipping.
- When is an LOI required? Discussing when a charterer may be asked to provide an LOI and the various scenarios that lead to such requests.
- Examples: Delivery of cargo without the original bill of lading, clean bill issuance despite cargo

concerns, commingling or blending of cargo, and discrepancies between ship and shore figures.

- Standard P&I Club LOI Wordings: Explanation of the three standard LOI wordings issued by the International Group of P&I Clubs (IG), and when they apply.
- Challenges with Non-Standard Scenarios: Discussing scenarios like line flushing and commingling, and the risks of uncertainty when a standard LOI wording is not provided.
- Risk of Disputes: Potential for disputes when LOI wordings are unclear or not specified in the charter.

15:30-17:00 **Case study 2**

**John Xavier Butler**

Dual-qualified as a Solicitor-Advocate in England & Wales and as a Solicitor in Hong Kong, John is also a Fellow of the Chartered Institute of Arbitrators (FCIArb) and has represented clients at arbitrations both 'ad hoc' and subject to institutional rules (including LMAA, SCMA, SIAC, LCIA, ICC, UNICTRAL, HKIAC, CIETAC and others). John specialises in disputes arising out of charterparties, bills of lading, sale & purchase contracts and contracts of affreightment. Prior to joining A&M, John spent 9 years in Hong Kong (including a secondment to an IG P&I Club) and has experience of acting for parties across Asia, including owners, charterers, P&I insurers, brokers, cargo interests and shipyards in the marine sector. Outside of the marine field, John has also acted for shareholders and creditors in commercial disputes, fraud and insolvency proceedings, both before the Hong Kong and London courts.

**Fiona Li**

Fiona Li is a Claims Manager at West of England's Hong Kong Office, responsible for handling claims related to both P&I and FDD. She is qualified as a solicitor in England & Wales and Hong Kong SAR. Prior to joining the Club, she gained experience working for another IG Clubs, international law firms, H&M insurer and cargo insurer.



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Sibyl Xu

Sibyl joined BIMCO in 2018 and started her career as a support for BIMCO's contract editing system SmartCon in Asia. In the meantime, she teams up with BIMCO's Training Department by hosting courses, particularly in the Far East. Sibyl graduated from the Shanghai Maritime University (SMU) and holds a Master's degree in International Law.

Where will the course be held?

West of England P&I, Hong Kong

1302 YF Life Centre, 38 Gloucester Road, Wanchai, Hong Kong



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