

BIMCO

The practical voice of shipping



THE MARITIME AND AVIATION
TRAINING FUND
海運及空運人才培訓基金

*MATF-funded course on
the "pre-approved" list
(maritime-related) under
ProTERS.*

BILLS OF LADING MASTERCLASS

Bills of lading are at the core of international trade. The course focuses on common issues in B/L disputes (such as clausal B/L's, general average and liens) as well as on how this is legally dealt with worldwide.

 **TRAINING**

Hong Kong
27–28 May 2025

DAY 1

09:00–09:25

Introduction to the documentary work of BIMCO:

- Who drafts BIMCO standard contracts and clauses and how?
- The importance of industry consultations and explanatory notes
- What are we working on at the moment?

Overview of bills of lading

09:25–10:30

Bills of lading in their contractual context:

- The relationship between the contract of sale, the letter of credit, the charter party, the bill of lading and the insurance certificate
- How the sale contract influences and affects the carriage contracts
- The major functions of the bill of lading.

10:30–11:00

Break

11:00–11:30

International regulation and statutory intervention

The functions of the bill of lading

11:30–12:30

The bill of lading as a receipt:

- Quantity/weight
- Apparent order and condition

- Date
- Mate's receipts
- Clean bills and claused bills
- The evidential effect of the bill
- "Weight unknown" clauses.

12:30–13:30

Lunch

13:30–14:45

The bill of lading as a contract of carriage:

- Evidence of a contract?
- The nature of the contract
- The parties to the contract
- Owners' and charterers' bills
- Which is the governing contract – the charter or the bill?
- Incorporation clauses
- The terms of the contract
- Remedies under the contract.

14:45–15:30

The bill of lading as a document of title:

- The meaning of title
- Transfer of title
- Title and delivery of the cargo.

15:30–16:00

Break

16:00–17:30

Case study 1 – Incorporation of terms into the bill of lading

DAY 2

09:00–10:30

The importance of international regulation:

- The impact of the Hague, Hague–Visby and Hamburg Rules
- The duties and rights of the carrier
- Package limitations
- Time limits
- The importance of Paramount Clauses
- The impact of the Rotterdam Rules.

10:30–11:00

Break

11:00–12:00

The bill of lading as a document of title:

- The rule as to delivery of cargo
- The danger of mis–delivery
- Delays to the ship
- Letters of Indemnity
- Alternative documents.

12:00–13:00

Lunch

13:00–14:00

Case study 2 – Misdelivery

14:00–15:00

Letters of Indemnity:

- When used?
- When enforceable?
- P&I position
- Practical guidelines.

15:00–15:30

Break

14:30–15:15

Switch bills of lading

15:30–16:30

False or inaccurate bills:

- Common issues with ante date bills
- The effect vis-à-vis the shipper and the subsequent holder
- Authority to issue inaccurate bills
- Contractual effect of “shame” or “false” bills.

16:30–17:30

Case study 3 – False or inaccurate bills

SPEAKERS



Elizabeth Sloane

Elizabeth is the head of Stephenson Harwood's marine and international trade team in Hong Kong. She is a commercial disputes partner specialising in cross border litigation and international arbitration. Elizabeth has extensive experience in fraud and asset tracing, injunctive relief, corporate insolvency, and maritime law.

Elizabeth has advised clients in a wide range of complex disputes and has acted for liquidators, creditors and other stakeholders in insolvencies.

She has particular interest and experience in locating and securing the proceeds of fraud, injunctive relief and equitable proprietary remedies.

In the maritime sector, Elizabeth has experience in ship arrest, the judicial sale and auction of ships, jurisdictional challenges, limitation of liability under the 1976 Convention, ship finance enforcement on behalf of lenders, and dry shipping arbitrations involving charterparties and the carriage of goods by sea.

Elizabeth has acted as an expert witness on Hong Kong law in both foreign litigation and international arbitration.

Elizabeth is a Fellow of the Chartered Institute of Arbitrators and a Panel Member of the Singapore Chamber of Maritime Arbitration. She accepts appointments sitting as arbitrator.

Elizabeth is admitted to practice as a solicitor in Hong Kong, England and Wales, and Australia (Victoria and Federal jurisdictions). She has been based in Hong Kong since 2008.

Elizabeth won "Litigator of the Year – North Asia" at the ALB Women in Law Awards 2021. She is ranked as a Next Generation Partner in Legal 500 Asia Pacific, and a Leading Individual in Doyles Guide.



Andrew Rigden-Green

Andrew is a dispute resolution partner at Stephenson Harwood and he is a Fellow of the Chartered Institute of Arbitrators and a member of the Singapore Chamber of Maritime Arbitration. He is an arbitration specialist with particular experience in dealing with shareholder disputes, joint venture disputes, asset financing disputes, international sale contracts, trade and commodity finance, marine disputes, shipbuilding and offshore oil & gas. Andrew is head of the international arbitration team in Hong Kong and co-head of Stephenson Harwood's Asia international arbitration team.

Andrew has extensive experience in multijurisdictional arbitrations, and in using courts to support such arbitration procedures (in particular to locate and to secure assets for eventual enforcement). He has conducted a number of ad hoc, institutional significant arbitrations both under institutional rules (HKIAC, CIETAC, SIAC, LCIA, ICC) and under trade association rules (ARIAS, LMAA, SCMA). He frequently team up with our international offices in Europe, Middle East and Asia to serve clients from a range of sectors, including shipping, aviation, construction, projects and energy, commodity and financial services. The arbitrations he has been dealing with as an international team have been seated in many different jurisdictions including China, California, Geneva, Germany, Hong Kong, India, London, New York, Paris, Singapore and Thailand. Many of these cases involve support from local courts in the form of anti-suit injunctions, asset preservation orders and freezing orders. Andrew has particular experience in jurisdiction disputes and in obtaining injunctions in support of litigation and arbitration.

Andrew also works closely with our CEPA association in Guangzhou which operates under the name Stephenson Harwood Weitu (China) Association, who appears before CIETAC, GAC, SHAC and the South China International Economic and Trade Arbitration Commission. We are ideally placed to handle applications in both jurisdictions.

Andrew's extensive experience includes representing clients from many diverse cultural and national backgrounds who may not be familiar with arbitration. He is assisted by the fact that he speaks fluent French and Russian and spent most of his life diving in cross-cultural environments.

Andrew has been with the firm since 2001 and has worked in both the London and Hong Kong offices

VENUE

Where will the course be held?

The course venue will be confirmed approximately 8 weeks before the start of the course so we can find a suitable venue for the number of participants.

ORGANISER



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.

For more information, please contact:

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The BIMCO logo, featuring the word "BIMCO" in a large, bold, dark blue sans-serif font. Above the letters "I" and "M" is a horizontal blue line with a small dark blue square in the center, resembling a stylized ship's mast or a bridge structure.