

Pre-congress Seminar

1 September 2015



AIJA 53rd CONGRESS • 1-5 SEPTEMBER 2015

Marine insurance: covering the vessel's life from cradle to grave

The Transport Law Commission is delighted to invite you to this year's pre-congress seminar in the magnificent city of London on Tuesday, 1 September 2015.

When London was chosen as the venue for the 53rd annual congress of AIJA on 2-5 September 2015, we could not find a better opportunity to organize a marine insurance seminar. As home to Lloyd's and the headquarters of many P&I insurers as well as prominent marine insurance brokers and others in the marine insurance industry, London is a centre for marine insurance like no other city on the planet.

Under the title "Marine insurance: covering the vessel's life from cradle to grave" we will explore key aspects and current developments within marine insurance from the very beginning of a marine insurance contract (duties of disclosure and terms of marine insurance), during its life (the potential for direct actions and dealing with major casualties) and to its ending (salvage, wreck removal and dismantling of vessels).

We are proud to present former Law Commissioner David Hertzell and a director of prominent marine insurance brokers as keynote speakers, who will open the seminar with insights into the new English Insurance Act and marine insurance broking in the London market, and to have an array of expert practitioners of marine insurance law from a great number of jurisdictions as speakers.

The seminar will be take place at Grange St. Paul's Hotel, which is also the venue of the annual congress, and will be followed by an enjoyable optional dinner in a spectacular maritime setting on the HMS Belfast.

By joining us for this seminar, you will not only enhance your knowledge and understanding of marine insurance and be able to obtain CLE credits in several jurisdictions, you will have the chance to meet and network with fellow practising or inhouse lawyers from around the globe.

The members of the organising committee look forward to welcoming you to London!

Programme

08.30 Registration

09.00 Opening speeches

The President of AIJA: **Dirk Nuyts**, Fragomen, Zürich
The President of AIJA's Transport Law Commission: **Niels Jørn Friberg**, Hafnia Law Firm, Copenhagen

09.15 Session 1 – Key note speeches

Moderator: Niels Jørn Friberg, Hafnia Law Firm, Copenhagen
1 Former Law Commissioner **David Hertzell**, BLM, London: **The English Insurance Act 2015**.
2 Managing Director **John Lucas**, CLP Insurance, London: **Marine insurance broking in the London market**.

10.15 Coffee break

10.30 Session 2 – Beginnings I (duty of disclosure)

Moderator: Scott Pilkington, Holman Fenwick Willan, Singapore
3 **Joy Thattil**, Callidus Legal, Mumbai: **The concept of "uber-rimae fidei" – An Indian overview**.
4 **Sarah Allan**, Bentleys, Stokes and Lowless, London: **The new duty of disclosure and remedies under the Insurance Act 2015 – "Fair Presentation of the Risk"**.
5 **Dr Marco Remiorz**, Dabelstein & Passehl, Hamburg: **Duty of disclosure under German law**.

11.30 Coffee break

11.45 Session 3 – Beginnings II (terms of insurance)

Moderator: Ulla Von Weissenberg, Borenus, Helsinki
6 **Kirsty MacHardy**, Campbell Johnston Clark, London: **International Hull Clauses**.
7 **Dr Tobias Eckardt**, Ahlers & Vogel, Leer: **DTV-ADS 2009**.
8 **Christian Bjørtuft Ellingsen**, Simonsen VogtWiig, Oslo: **Nordic Plan 2013**.

12.45 Lunch

14.00 Session 4 – Life I (direct actions)

Moderator: F. Javier Zabala, Meana Green Maura, Bilbao
9 **Claire Messer**, Hill Dickinson, London: **Direct actions under English law**.
10 **Sébastien Lootgieter**, SCP Villeneuve Rohart Simon & Associés, Paris: **Direct actions under French law**.
11 **David Diez Ramos**, Rogers & Co., Madrid: **Direct actions under Spanish law**.

15.00 Coffee break

15.15 Session 5 – Life II (major casualties)

Moderator: Dr Giovanna Montanaro, Schellenberg Wittmer, Zürich
12 **Jeremy A. Herschaft**, Blank Rome, Houston: **Marine insurance issues in the wake of a major casualty – General principles and observations**.
13 **Filippo Pellerano**, Studio Legale Mordiglia, Genova: **The handling of major maritime casualties – Challenges for the lawyer appointed by marine insurers**.
14 **Remy Francisco Carreira-Franceschi**, Carreira Pitti, Panama City: **General average: what are the rights and obligations of the marine insurer?**

16.15 Coffee break

16.30 Session 6 – Endings

Moderator: Johannes Grove Nielsen, Bech-Bruun, Copenhagen
15 **Nick Barber**, Stephenson Harwood, London: **The interplay between H&M and P&I cover with regard to salvage and wreck removal after a major casualty**.
16 **Elias Frem Bestani**, Marval, O'Farrell & Mairal, Buenos Aires: **Marine insurance issues in respect of salvage and wreck removal in Argentina**.
17 **Jennifer Hoovers**, Van Steenderen MainportLawyers, Rotterdam: **"End of Life" – The Dutch perspective**.

20.30 Dinner on HMS Belfast

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ORGANISING COMMITTEE

Niels Jørn Friborg Hafnia Law Firm, Denmark
F. Javier Zabala Meana Green Maura, Spain
Scott Pilkington Holman Fenwick Willan, Singapore
Marco Lenti Studio Legale Mordiglia, Italy
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