

Seminar Invitation 2019 IMLA SEMINAR

11th October, 2019

CHOPPY WATERS: CARGO CLAIMS,
CHANGE AND CLIMATE



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Seminar Topics:

Morning Session

- **Changes to the regulatory regime for ships introduced by recent environmental legislation**
- **Carriage of hazardous cargoes, containerisation, and incidents of misdeclaration.**
- **Recent developments in maritime caselaw.**

LUNCH

Afternoon Session

- **Brexit update**
- **How to handle, and litigate Cargo Claims: A practical toolbox session / workshop**

Date: Friday 11th October, 2019

Time: 9.30am Registration

Venue: The Gibson Hotel

The Point Depot

RSVP to: **Hugh Kennedy,**
Kennedys
Bloodstone Building,
Sir John Rogerson's Quay
by Monday 1st October, 2019
hugh.kennedy@kennedyslaw.com

Cost: Members € 150
Non members € 175
Registration & Payment details below

PROGRAMME

Presentation/Event	Speaker	Time
Registration		09:30 – 10:00
OPENING ADDRESS		
Introduction First Session	Her Honour Judge Petria McDonnell	10:00 – 10:10
	Robert Drummond Managing Director Standard Club	10:10 – 10:20
Recent changes to the regulatory regime introduced by environmental legislation, Low Sulphur Fuel, emissions, LNG as a fuel and relevant risks for P & I cover and FD&D cover, Ballast Water Convention	Matt De Plater, Claims Director Standard Club	10:20 – 10:35
		10:35 – 10:50
Carriage of hazardous cargoes, car carriers, containerisation, and incidents of misdeclaration and fires (ie. MSC Flaminia)	John Dolan Deputy Director Loss Prevention	10:50 – 11:05
Global Risks	David Williams Underwriting Director Standard Club	11:05 – 11:10
Questions		11:10 – 11:30
COFFEE		11:30 – 11:45
Irish Decisions on the Athens Convention on the Carriage of Passengers by Sea	Alana McArdle B.L.	11:45 – 12:00
Bills of lading – a comparative analysis of the legal regimes between Ireland and England and Wales	Mary Cecilia Lyons B.L.	12:00 – 12:15
Recent developments in Irish Admiralty Practice	Karina Kinsella B.L.	12:15 – 12:30
Securitisation in Shipping	Jose Lazaro Villanueva Solicitor	12:30 – 12:45
Questions		12:45 – 14:00
LUNCH		
Brexit Update	Vincent Power, A & L Goodbody	14:00 – 14:15
CARGO SEMINAR		
Opening	David Kavanagh, Dillon Eustace	14:15 – 14:20
P & I Correspondent and Cargo claims	Mary O'Reilly, P & I Shipping Services	14:20 – 14:30
Headline Issues for P & I Club Claims Handler in a cargo claim	Matt De Plater, Standard Club	14:30 – 14:40
Multimodal Carriage and claims	Hugh Kennedy, Kennedys	14:40 – 14:50
Time bars & limitation of liability	Dermot Conway, Conways	14:50 – 15:00
Liability Regimes Court competence and Jurisdiction and pleading a cargo claim.	Darren Lehane B.L.	15:00 – 15:10
Problem Question	Edmund Sweetman B.L.	15:10 – 15:15
Round Table Discussion Of Issues		15:15 – 15:45
Intervention From Floor		15:45 – 16:00
Refreshments		16:00 – 17:00



**SEMINAR
11th October 2019**

Registration and Remittance Form

Please complete form below, and, send by email or post, together with the bank transfer slip, or, if cheque by post to:

hugh.kennedy@kennedyslaw.com

Hugh Kennedy, Honorary Treasurer,
Irish Maritime Law Association,
C/O Kennedys Solicitors,
Bloodstone Building,
Sir John Rogerson's Quay,
Dublin 2 DO2 KF24

- Name Of Delegate : _____
- Company: _____
- Email Address : _____

Payment Details

1. Bank transfer - IMLA Bank Details.

AIB Grand Canal Dock
Hanover Quay
Dublin 2





Name of account	Irish Maritime Law Association
National Sort code	931225
Account Number	29114183
BIC/SWIFT	AIBKIE2D
IBAN	IE39AIBK931225 29114183




Please quote your name and 'Seminar2019', so we can trace your payment

2. Cheques

Please make payable to 'Irish Maritime Law Association'

Speakers

	<p>Robert Drummond Robert joined Charles Taylor in 1984 and has held various underwriting roles before heading the various business divisions. He has experience in all the regions in which The Standard Club underwrites business. Robert was MD of Standard Asia from 2005-2010, group Business Development Director from 2010-2018 until he assumed the role of MD Standard Ireland DAC.</p>
	<p>Matthew de Plater Matthew has an LLB and BA (politics) from University of Queensland and is an admitted solicitor of the Supreme Court of Queensland and High Court of Australia. Matthew worked in private practice as a solicitor and P&I Club correspondent in Brisbane, Australia from 2008 to 2013, after which he joined Charles Taylor in 2013 dealing with Mediterranean members. Matthew has completed secondments in the New York office working with US flagged members and now works in the International Division with a broad mix of members in the UK, the Middle East and Eastern Europe. From August 2019, Matthew has been based in the Charles Taylor's Dublin office.</p>
	<p>John Dolan Capt. John Dolan joined the British merchant navy as a Deck Cadet with BP Shipping and spent 11 years at sea working on oil tankers. After rising to the position of Master, John returned to university for two years and graduated with a Master's Degree in Science in International Shipping. He built on his technical and academic experience by becoming a ship manager and for the next 23 years, he worked in most of the key functions and senior roles in ship management including commercial, marine, safety, operational and technical positions culminating in 10 years' experience as General Manager / Director level of two large shipping companies. During this period, he was also a Board member of the International Chamber of Shipping where he represented Ireland for six years.</p>
	<p>David Williams David joined Charles Taylor in 2010 as a claims executive dealing primarily with The Standard Club's Mediterranean clients.</p> <p>In December 2012 he joined the European Division taking responsibility for the underwriting of the London Class - a specialist small craft P&I facility, before being promoted to Underwriting Director in 2015.</p> <p>David joined The Strike Club, a specialist mutual providing business interruption insurance to owners and operators in June 2017 and is responsible for managing and developing business in the Americas.</p>

	<p>David holds an LLB from University of Ireland Galway and an LLM in International Maritime and Commercial law from Swansea University.</p>
	<p>Alana McArdle B.L.</p> <p>Alana was called to the Bar in 2013. She has a broad civil practice covering personal injuries, banking & finance, international trade and insurance.</p>
	<p>Mary Cecilia Lyons B.L.</p> <p>Mary Cecilia Lyons is a barrister, member of the Bar of Ireland, and her practice includes admiralty, and general maritime law matters.</p>
	<p>Karina Kinsella B.L.</p> <p>Karina was called to the Irish Bar in 2016 and acts in admiralty and general maritime law matters as a Barrister. Prior to being called to the Bar she qualified as an Officer of the Watch in 2001 from the National Maritime College of Ireland having completed her apprenticeship with Maersk Line.</p>
	<p>Jose Andres Lazaro Villanueva Cleaver Fulton Rankin Solicitors</p> <p>Jose is a qualified Spanish Lawyer (Abogado) since 2011 and Registered as European Lawyer in Northern Ireland in 2015 and in England & Wales since 2016.</p> <p>Jose is based in Belfast and advises banks, financial institutions, private companies and individuals in acquisition, export and property finance, secured and unsecured lending, securitisation and asset backed lending. He has also developed experience in international trade, purchase of vessels, shipping contracts and customs law</p>



Dr Vincent J G Power,

Partner, A&L Goodbody. Over 25 years' experience acting for multinationals and governments on national and international law cases. Author of *EU Shipping Law* (3rd ed., 2 volumes, 2019) which won the Albert Lilar Prize for the best shipping law book in the world during the previous five years. Chairman Designate of the European Maritime Law Organisation – to be the fourth chairman of EMLO in October succeeding Lord Nicholas Phillips, Sir Francis Jacobos and Lord Slynn of Hadley. In 2017, he won the ILO Client Choice Award for the category of "EU Competition and Antitrust" across the entire 28 Member State European Union. Vincent is the author or editor of seven books including "Competition Law and Practice" and "Irish Competition Law". He has been invited to speak on EU, competition and transport matters in over 20 countries. He has a Master's Degree and a Doctorate from Cambridge University and was the first ever Law graduate to be awarded the Distinguished Alumnus award from University College Cork where he graduated with a BCL. He is Adjunct Professor of Law at University College Cork and Visiting Professor of EU Law at Dalhousie University in Canada. vpower@algoodbody.com.



**David Kavanagh
Dillon Eustace Solicitors**

David is a partner and specialises in Litigation and Dispute Resolution and has particular expertise in defamation and media law.

David represents insurers and companies in defending personal injury actions, including road traffic accidents, employer liability and public liability claims and product liability claims.

David has specialist knowledge in transport, maritime and admiralty law. He regularly represents ship owners, insurers, clubs and companies involved at each stage of the logistics chain. David is the vice-president and an executive committee member of the Irish Maritime Law Association.

He is a member of the board of directors of Just Sport Ireland, and is a member of the Dublin Solicitors' Bar Association.



Edmund Sweetman B.L. Abogado
Law Library Ireland, Meana Green Maura Abogados

Edmund was called to the Irish Bar in 2001, the Bar of England and Wales in 2016 and qualified as a Spanish lawyer in 2005. He has a Masters in Maritime Law from the University of London. He acts in admiralty and general maritime law matters as a Barrister and as an abogado in Spain. Edmund is the President of the Irish Maritime Law Association and is Rapporteur on two CMI working groups, that of Liability for Wrongful Arrest and Ship Nomenclature as well as an ordinary member of the IWG on Fair Treatment of Seafarers .



Mary O'Reilly P&I Shipping Services Ltd

P&I Shipping Services Ltd was established in 1986 after the collapse of Irish Shipping Ltd and has been acting as Irish Correspondents for 11 of the 13 P&I Clubs in the International Group and many other Marine Insurers since then. Mary Joined the firm in 2009 and having completed Professional Qualifying Exams in 2012 became a Member of the Institute of Chartered Shipbrokers. She was awarded a Fellowship of the Institute in March 2019.



Dermot Conway

Dermot Conway is the Managing Partner of Conways Solicitors. Dermot is a graduate of University College Cork, Ireland and holds two degrees; Commerce (B.Comm) and Law (BCL). He qualified as a Solicitor in 2000 and has specialised in Maritime Law since that time. Dermot has represented Clients in every Court in Ireland in relation to maritime matters.

He is a member of the Irish Maritime Law Association. His areas of practise include the defence of Sea Fishing trawlers that are detained for Sea Fishing offences, Salvage, dumping at Sea Legislation, Insurance Claims, Collisions at Sea and Ship arrest and release for contract debt and dispute. He also advises on the Merchant Shipping Acts as well as acting locally for P&I Clubs.



Hugh Kennedy

Hugh is a Partner in Kennedys' Dublin office. He specialises in all aspects of insurance law, with a particular expertise in complex subrogated matters, often involving an international element.

Hugh also specializes in admiralty, marine and aviation matters including ship arrest in Ireland, collisions, salvage, casualty investigation, cargo claims,

international liability conventions, CMR road haulage, contractual terms and conditions, jurisdiction disputes, bills of lading and yacht claims.

He is a member of the Irish Maritime Law Association, International Association of Young Lawyers, Dublin Solicitors Bar Association and Forum of Insurance Lawyers (FOIL).



Darren Lehane BL

Darren has a broad maritime practice with an emphasis on shipping and commodities, international trade, energy, banking and insurance. Within these fields his work covers the full range of disputes dealing with charterparties, international trade, shipbuilding, finance, fisheries, submarine pipelines, arbitrations (ICC, LCIA and Ad Hoc) and ship arrest.

Recent notable cases include:

- O'Brien v Dail Eireann & Ors [2019] 1 ILRM 385
- The M.V. Connoisseur [2018] IEHC 699
- Fitzpatrick v Minister for Agriculture, Food and The Marine & Anor [2018] IEHC 772 & 77
- O'Sullivan v Sea Fisheries Protection Authority & Ors [2018] 1 ILRM 245 & [2017] 3 IR 751
- Persona Digital Telephony Ltd v Minister for Public Enterprise, Ireland [2017] IESC 27
- Muintir Skibbereen Credit Union v Crowley [2016] 2 IR 665
- Lett and Company Limited v Wexford Borough Council & Ors [2016] 2 ILRM 294 & [2016] 1 IR 418 & 385