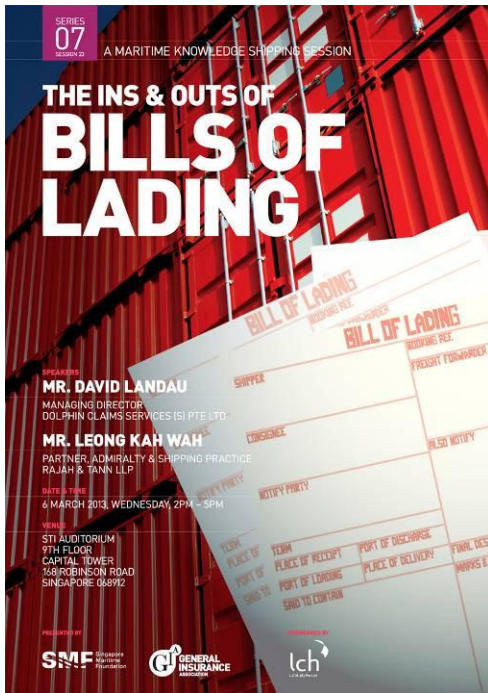


SERIES 7, SESSION 23 – A MARITIME KNOWLEDGE SHIPPING SESSION
THE INS AND OUTS OF BILLS OF LADING
Insights from Legal and Claims Recovery Experts

WEDNESDAY 6 MARCH 2013, 2 – 5PM
STI Auditorium, Capital Tower, Level 9, Singapore



Dear Members

The General Insurance Association of Singapore (GIA) and Singapore Maritime Foundation (SMF) are jointly organising the first seminar in 2013, **The Ins & Outs of Bills of Lading: Perspectives from legal and claims recovery experts on Wednesday, 6 March, from 2pm to 5pm, at the Capital Tower.**

A bill of lading is defined as a legal document used in the transport of goods by sea, used between the shipper of a particular good and the carrier detailing the type, quantity and destination of the good being carried. The bill of lading also serves as a receipt of shipment when the good is delivered to the predetermined destination. This document must accompany the shipped goods, no matter the form of transportation, and must be signed by an authorised representative from the carrier, shipper and receiver.

We often hear cases of disputes resulting from the misuse of the bill of lading or the processes following the use of the document by the various users. In this inaugural session of 2013, we hope to provide insights about the bill of lading, its relevance to the various stakeholders and highlight some of the pertinent issues such as the recovery of losses and legal suits.

We are privileged to have two distinguished speakers who are experts in their respective fields of specialisations, Mr. David Landau, Managing Director, Dolphin Claims Services (Singapore) Pte Ltd and Mr. Leong Kah Wah, Partner, Rajah & Tann LLP.

Our marine insurance and loss recovery expert, Mr. David Landau would examine how elements within the bill of lading terms may impact on recovery and will provide useful pointers on how best to mitigate the losses and minimise the implications of those terms, as seen from the cargo interests' perspective. Mr. Leong Kah Wah, the legal expert would share his wealth of expertise on bill of lading and highlight some of the real-life case studies that would be of great interest to the maritime and marine insurance practitioners.

The seminar is presented as part of the Maritime Knowledge Shipping Sessions, a series of seminars in which maritime and insurance experts are invited to present insights about their specializations to enhance the maritime and insurance knowledge of our insurance professionals and the maritime community.

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REGISTRATION

To attend the seminar, please register through online application via http://www.gia.org.sg/registration_form/registration_mkss.php by **Friday, 2 March 2013**. The online registration form will not be accessible after the deadline. The seminar is limited to 230 people and pre-registration is required. Please register early to avoid disappointment.

For more information, please contact GIA Secretariat at cherie.tan@gia.org.sg or 6221 8788 extn 212.

We hope that you will be able to encourage your staff and partners to attend this enriching session.

Thank you and best wishes



Derek Teo
President
General Insurance Association of Singapore

PS: The seminar is free and proudly sponsored by L.C.H. (S) Pte Ltd.

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PROGRAMME

In this Maritime Knowledge Shipping Session, we are pleased to have with us a maritime specialist and a marine insurance expert to share their expertise on the topic, **The Ins & Outs of Bills of Lading: Insights from legal and claims recovery experts**. Through the presentations of the two distinguished speakers, participants will certainly be able to gain a well-rounded understanding of the topic: *The Ins & Outs of Bills of Lading: Insights from legal and claims recovery experts*.



Mr. David Landau
Managing Director
Dolphin Claims Services (Singapore) Pte Ltd

Mr. David Landau first joined Dolphin Maritime & Aviation Services Ltd, London in 1989 as a trainee claims handler. In 1992, he was promoted to Senior Claims Executive and became Director in 1998. In 2008, he relocated to Singapore with his family to undertake the role of Managing Director of Dolphin Claims Services (Singapore) Pte. Ltd where he is tasked with strengthening the presence and raising the profile of the company in Asia. Although his prime focus is on claims recovery, mostly for cargo insurers under subrogated rights, David has a wide experience in all aspects of cargo claims, from first loss notification, survey and claims settling for cargo underwriters, through to recovery of losses from the liable party, as well as handling of casualty cases involving General Average and salvage claims under Lloyds Open Form. His casework has ranged from claims for small losses up to management of high profile, high value, multi-cargo cases following collisions, sinking and grounding, amongst others. A current case involves the loss of USD 6 million of cargo following an explosion on board a chemical tanker.

Synopsis: Recovery & Bill of Lading

Damage to cargo during the course of transit is an all too frequent occurrence. Attributing liability and pursuit of recovery from the liable party can be a contentious issue, fraught with difficulties for the unwary. In David's presentation, he will discuss the many functions of a Bill of Lading (the contract of carriage), its terms and conditions, and their potential impact on the ensuing recovery action and the various aspects of recovery from his perspective as an insurer and recovery specialist. He will consider some of those terms and look at the pitfalls raised by time bars, limitations and differing (and often conflicting) laws and jurisdictions. Supported by various case studies, David will also demonstrate how, taking the right steps, obtaining the right documents and carrying out thorough investigations, one can increase the prospects of success.

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Mr. Leong Kah Wah
Partner
Rajah & Tann LLP

Mr. Leong Kah Wah is the Deputy Head of the Admiralty and Shipping Practice Group in Rajah & Tann LLP and he has extensive experience in disputes related to the maritime industry. He is recognised as a casualty, cargo, charter party and bills of lading expert in Chambers Global (2004, 2005, 2006, 2007, 2008, 2009, 2010 & 2011). In Chambers Global 2006, he was described as "an intelligent and passionate performer who is in the vanguard of the next generation of shipping lawyers in Singapore." Other legal publications acknowledging Kah Wah include Asia Pacific Legal 500, Who's Who Legal, The Legal Media Group Guides to the World's Leading Lawyers, Asialaw Profiles and Best Lawyers. Specialising in both wet and dry work, Kah Wah works closely with shipowners, clubs, hull underwriters from Singapore and other parts of Asia in the investigation and management of claims arising out of casualties. He is also a counsel in the Singapore Courts. *Some of his* notable cases included the case of *Er Joo Nguang v PP*, where he successfully appealed against the conviction of a freight forwarder charged with criminal breach of trust for his role in effecting delivery without production of bills of lading and the case of *UMCi v Tokio Marine*, where he acted successfully for an assured in a claim on a marine insurance policy and the case of *Arktis Sky*, where he acted for shipowners sued for misdelivery against forged bills of lading; just to name a few. Kah Wah has also acted as counsel in maritime arbitrations before tribunals, both ad-hoc and institutional (namely, SIAC, SCMA, LMAA and New York SMA). He is also experienced in commodity trade disputes and has represented traders in arbitrations administered by GAFTA, FOSFA and PORAM.

SYNOPSIS: FAQs on Bills of Lading

The B/L is an important document and it usually has an important role to play in commercial trade. What a trader wants from a shipowner or charterer, in terms of the B/L, is to en-cash the banking facility with speed and certainty. The shipowner or charterer will want to accommodate, but with minimal exposure, and it is a delicate balance. Often the lawyer would receive queries from clients about clean/ claused B/Ls; switch or 2nd set B/Ls; LOIs; forged B/Ls; and mis-delivery. As part of his presentation, Kah Wah will share his experiences on these areas and provide real-life case studies to bring to life some of these issues more effectively.

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PROGRAMME

TIME	PROGRAMME	SPEAKER
14:00	Opening Address	Mr. David Chin Executive Director Singapore Maritime Foundation
14:10	Bills of Lading and their impact on cargo claims recovery.	Mr. David Landau Managing Director Dolphin Claims Services (Singapore) Pte Ltd
15:00	Tea break	-
15:30	FAQs on Bills of Lading	Mr. Leong Kah Wah Partner Rajah & Tann LLP
16:15	Q&A Session	Mr. Jonathan Ranger (Moderator) Principal Officer of Watkins Syndicate and GIA Property and Marine Committee Member
16:45	Closing Address	Mr. Andrew Lim GIA Management Committee Member and Property and Marine Committee Convenor

Note: For more information, please contact GIA Secretariat at cherie.tan@gia.org.sg or at 6221 8788 extn 212.