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國際爭議解決及專業談判研究院  
Academy of International Dispute Resolution &  
Professional Negotiation

## Maritime Contracts & Introduction to Mediation

(CPD Points Accreditation by the Law Society of Hong Kong and Hong Kong Mediation Council Applied for)

SkillsPlus & [Academy of International Dispute Resolution & Professional Negotiation](#) are conducting a two days' workshop on Maritime Contracts Management and Introduction to Mediation on 10-11 January 2020.

The program is listed under [Professional Training and Examination Refund Scheme \(Code MC63\)](#) for 80% refund for [eligible candidates](#).

### Maritime Contracts (1-day Masterclass, 10<sup>th</sup> January 2020)

(Conducted by SkillsPlus Limited)

- 1) **Introduction to Contract Law:** Basics; Types of Contracts; Language & Homemade Clauses; Sale of Goods Act 1979; Unfair Contract terms act 1977
- 2) **Shipmanagement Contract:** Key Clauses; Liability issues for Ship Managers; Avoiding Pitfalls; English Law, US Law & Standard Ship management agreement
- 3) **Charterparties:** Construction of Charterparties (Voyage, Time, Major areas of difference and their implications; Slow & Super Slow Steaming, Case Study: Speed & Fuel Consumption Warranties); Charter Party Disputes (Time: Underperformance, Voyage: Laytime Calculations & Arrived Ship, Case Study: Demurrage or Detention?); Bunker issues & disputes, IMO 2020: Legal, Commercial & Technical Issues.
- 4) **Norwegian Sale Form (NSF) & Singapore Sale Form (SSF):** Evolution 1987-2012; Key Clauses (Inspection, Drydocking, Condition on delivery, Buyers & Sellers default); a review of previous relevant authorities.
- 5) **Brief introduction to ADR (Alternate Dispute Resolution)**

*Presentation of Certificates*

***SkillsPlus is pleased to advise that immediately after the one-day Masterclass on Maritime Contracts, a one-day course will be conducted by [Academy of International Dispute Resolution & Professional Negotiation](#). Details are given below.***



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## **Introduction to Mediation (1 day): 11<sup>th</sup> January 2020**

(Conducted by [Academy of International Dispute Resolution & Professional Negotiation](#))

### ***What is Mediation? – Principle and Functions***

- Understanding the usual disputes in maritime and shipping
- Dispute resolving approaches
- Illustrating benefits of using mediation skills in handling conflicts
- International development on dispute resolution
- UNCITRAL – Convention on Enforcement of Mediation Settlement Agreement

### ***Using Mediation to resolve maritime/ shipping disputes***

- Why using mediation in resolving maritime/shipping disputes?
- Overview of concept, definition, principle and process of mediation

### ***Mediation Practice in maritime/ shipping***

- Understanding your interests and needs and the same for the other
- Maximizing your benefits
- Understanding the Mediator's works
- Negotiation within mediation
- Using Mediator to add value

### ***Skills Practice - Simulated Mediation Process***

- *Mediation role-play exercise*
- Role-play Debriefing
  - Participants share insights from the role-play
- Workshop Summary
  - Recapping the skills and technique taught
  - Question & Answer

*Presentation of Certificates*



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## COURSE TRAINERS:

### Day 1: Maritime Contracts

[Jagmeet Makkar](#) MSc FICS FRINA FIMarE(I) FHKI Arb MCI Arb

Jagmeet has a unique combination of academic prowess, teaching and vast experience in commercial and technical areas of shipping. He is a Shipping & Energy consultant, educator and a maritime arbitrator. His more than 3 decades of hands-on experience in Ship-Management, Conversions, New-Buildings, Ship Sale & Purchase, Chartering & Marketing to acquire cargo contracts has enriched his contributions in various industry forums, such as the Shipping Consultative Committee HKSAR, HK Technical Committees of Lloyd's Register and Class NK. Besides actively promoting the industry through articles in various journals, such as the BIMCO Review, Marine Engineers' Review, Shipping Network, HE-Alert of Nautical Institute, Sailor Today, Seaview etc., he is also a regular speaker and panelist at various forums, such as dry bulk summits, Mareforum, Marine Money, Coaltrans, Intercem, etc.

Jagmeet is a supporting member of the London Maritime Arbitrators Association, a member of the Hong Kong Maritime Arbitrators Group, a fellow of the Hong Kong Institute of Arbitrators, and a member of the Chartered Institute of Arbitrators.

In his recent post-graduation (MSc Energy, Trade and Finance) from Cass Business School (City, University of London), Jagmeet was awarded First Position with Distinction, and was offered a lifetime membership to the prestigious Beta Gamma Sigma. This is an example of his dedication to the enhancement of education and skills.





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## Day 2: Introduction to Mediation

### **Prof. LAW Wai Hung Francis**

Hon. LLD, MBA, MHKMC, SIME, CWPM, IPDRA, Professor, Mediator, Arbitrator, Advocate, Negotiator, Lead Assessor and Trainer

Email: [francislaw.mediation@yahoo.com.hk](mailto:francislaw.mediation@yahoo.com.hk)

Add: 21/F, Success Commercial Building, 245 -251 Hennessy Road, Wan Chai, Hong Kong

Tel: (852) 6773 3698



### **Mr. Alfred Ho-Man CHAN**

Ph.D. Research (Surgery), M.Sc.

(Health Education), Pg.D. (Public Health),

B.Sc. (Medical Biochemistry)

Mobile: (852) 9709-7138

E-mail: [alfred.mediation@gmail.com](mailto:alfred.mediation@gmail.com)



Please click for [Trainers Detailed CV](#)



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The two days' Masterclass have been included in the list of pre-approved courses/examinations (maritime-related) of the Professional Training and Examination Refund Scheme (ProTERS) under the Government's Maritime and Aviation Training Fund (MATF). This allows eligible participants who successfully complete the 2day Masterclass to personally apply for a refund of 80% of the relevant course fee. **(application from a company will not be accepted)**. Eligible applicants for the refund must be HKID holders in lawful full-time employment of a company in the maritime sector in Hong Kong (not 'self-employed'). Job nature can include seafarer, ship management / operation, chartering, broking, surveying, marine insurance, maritime law, maritime education. For full details of eligibility criteria and for the avoidance of doubt, potential applicants should visit the website of MATF [www.matf.gov.hk](http://www.matf.gov.hk) for the ProTERS application form and its Notes to Applicants\*\*.

(email: [matf@thb.gov.hk](mailto:matf@thb.gov.hk), telephone hotline : 35097261)

\*\*[http://www.thb.gov.hk/eng/whatsnew/transport/2014/MATF\\_ProTERS\\_F1\(Rev7\\_2014\).pdf](http://www.thb.gov.hk/eng/whatsnew/transport/2014/MATF_ProTERS_F1(Rev7_2014).pdf)

### **Venue & dates**

The course (venue will be advised closer to the dates) will be held from 10th January 2020 to 11th January 2020 from **9.30am to 5.30pm**.

### ***Fee & Payment details:***

The cost of the full 2-day course will be HK\$10,000 including course materials.

Please send your application by completing the attached application form along with a cheque of HK\$10,000 made payable to "SKILLSPLUS LIMITED".

The Cheque with application form to be sent by post to:

SKILLSPLUS LIMITED, 1703, BUILDING W-50, #50 WONG CHUK HANG ROAD,  
ABERDEEN, HONG KONG

You may pay HK\$10,000 by online transfer to:

SkillsPlus Limited

Bank of China (HONG KONG) Savings Account No. 012 706 2 005335 2

Bank Branch Address: 25 WU PAK STREET, ABERDEEN, HONG KONG

TEL: +852 2553 4165 / FAX: +852 2873 3453 Swift Code: BKCHHKHHXXX



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## Maritime Contracts & Introduction to Mediation

10-11 Jan. 2020

Application Form

(Online Registration: <https://forms.gle/NaqzyEKm29b7YGu68>)

Name: \_\_\_\_\_

Email Address: \_\_\_\_\_

Day Time Telephone Number: \_\_\_\_\_

Organisation: \_\_\_\_\_

Occupation:

Details of Education:

\_\_\_\_\_  
\_\_\_\_\_

Professional or Industry Qualifications:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_