

**THE  
SHIPPING ASSOCIATION OF JAMAICA  
(SAJ)  
&  
CARIBBEAN MARITIME INSTITUTE  
(CMI)**

**HOST**

**A TWO-DAY PROFESSIONAL SEMINAR**

**ESSENTIAL LEGAL PRINCIPLES OF  
COMMERCIAL SHIPPING**

**A. PROGRAMME DETAILS**

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|----------------------------------|---|
| <b>1. Programme Title:</b>       | <b>Legal Aspects of Commercial Shipping</b>                                 |
| <b>2. Commencement Day:</b>      | <b>Wednesday April 18, 2007</b>   |
| <b>3. Finishing Day:</b>         | <b>Thursday April 19, 2007</b>  |
| <b>4. Duration of programme:</b> | <b>2 days</b>   |
| <b>5. Venue of seminar:</b>      | <b>Shipping Association Complex, 4 Fourth Avenue, Newport West, JAMAICA</b> |
| <b>6. Days and Times:</b>        | <b>Wednesday and Thursday (09:00-17:00)</b>                                 |
| <b>8. Language:</b>              | <b>English</b>  |
| <b>9. Enrolment Fee:</b>         | <b>US\$450.00</b>   |

## B. DETAILED SCHEDULE OF PROGRAMME

### DAY 1

08:30-09:00		<b>Registration and welcome</b>
09:00-10:30	1.	<b>An Introduction to maritime law</b>
	1.1	The legal framework for maritime law in Jamaica
	1.2	Introduction to maritime contract, tort, criminal law and bailment
	1.3	Key features of maritime legislation in Jamaica
10:30-10:45		<b>Coffee Break</b>
10:45- 12:15	2.	<b>International maritime conventions and their effect on Jamaican law</b>
	2.1	Introduction to international maritime law
	2.2	Key International Maritime Conventions ratified by Jamaica governing the following areas. <ul style="list-style-type: none"><li>• Safety</li><li>• Security</li><li>• Marine Pollution Prevention</li><li>• Facilitation of Maritime Traffic</li></ul>
	2.3.	Legal issues surrounding the implementation of the international conventions in Jamaica
12:15-13:30		<b>Lunch Break</b>
13:30- 15:00	3.	<b>Bills of Lading (Part 1)</b>
	3.1	Introduction
	3.2	Functions
	3.3	Application of the Hague and Hague Visby Rules
15:00-15:15		<b>Coffee Break</b>
15:15- 17:00	4.	<b>Bills of Lading (Part II)</b>
	4.1	Carriers' rights, duties and legal liabilities
	4.2	Shippers' rights, duties and legal liabilities
	4.3	Legal issues related to marine cargo claims

## DAY 2

- 09:00-10:30**    **5.    The responsibilities and liabilities of key intermediaries in the transport of goods by sea**
- 5.1    Ship Owners
  - 5.2    Ship Agents
  - 5.3    Wharfingers and Terminal Operators
  - 5.4    Stevedores
  - 5.5    Custom Brokers and Freight forwarders
- 10:30-10:45**                    **Coffee Break**
- 10:45- 12:15**    **6.    Legal Issues in the Provision of Harbour Services**
- 6.1    Pilotage
  - 6.2    Towage
  - 6.3    Salvage and Wreck Removal
- 12:15-13:30**                    **Lunch Break**
- 13:30- 15:00**    **7.    Ship Arrest and Detention in Jamaica**
- 7.1    Admiralty Jurisdiction
  - 7.2    Types of Claims for which you can arrest
  - 7.3    Detention of Ships
  - 7.4    Legal issues surrounding wrongful arrest and detentions
- 15:00-15:15**                    **Coffee Break**
- 15:15-16:00**    **8.    Recent Developments in US Maritime Law affecting Jamaica**
- 8.1    Maritime Transportation Security Act 2002
  - 8.2    Ocean Shipping Reform Act 1998
- 16:15 –17:30**    **9.    Group Presentations/Assessment**

## **C. PROGRAMME OBJECTIVE AND BENEFITS FROM ATTENDING**

The aim of this programme is to provide course participants with a deeper understanding international maritime law and develop their knowledge of the key maritime law concepts involved in the international transport of goods by sea.

At the end of the course, participants should have a critical understanding of :

- the key features of bills of lading contracts and the legal implications of the various types of bills of lading;
- the responsibilities and liabilities of ship agents, wharfingers, terminal operators, stevedores, ship owners and other intermediaries;
- International maritime conventions and their effect on Jamaican law;
- the liabilities and obligations relating to pilotage, towage, salvage and other harbour services;
- international sale of goods and remedies;
- Jamaican maritime legislation;
- recent developments in US maritime law affecting shipping in Jamaica.

## **D. COURSE DYNAMICS AND MATERIAL**

- Handouts
- Case Studies
- Articles
- Interactive multimedia presentations

## **E. INSTRUCTOR'S CURRICULUM VITAE**

**Lecturer - Bertrand Smith,  
Attorney-at-law/Director of Legal Affairs, Maritime Authority of Jamaica (MAJ)**

Mr. Smith is an Attorney-at-Law with over fourteen (14) years experience in the area of maritime and environmental law. Since 2001 he has been the Director of Legal Affairs at the Maritime Authority of Jamaica where he has been responsible for the development of Shipping and Admiralty legislation in Jamaica.

After graduating from the University of the West Indies and the Norman Manley Law School Mr Smith read for a Post Graduate Degree in Maritime Studies from the World Maritime University in Sweden. Mr. Smith is a past president of the Lions Club of Mona and holds membership at the Kingston Cricket Club and the Jamaican Bar Association.

Mr. Smith is an adjunct lecturer in maritime law at the Caribbean Maritime Institute and has delivered papers on legal issues relating to shipping law, maritime security, ship source pollution prevention, bunkering and International trade issues at local and international conferences.

Since 2003 Mr. Smith has been the legal contributor to the Caribbean Shipping Journal where he has written articles on the ISPS Code, dangerous goods and issues related to cruise shipping. Additionally Mr. Smith has represented Jamaica's at a number of legal conferences is the country's delegate to the Legal Committee of the IMO.

## **F. MATERIALS**

All participants will be provided with a folder with full lecture notes and supplementary cases and materials.

## **G. ACCREDITATION**

The course will provide sixteen (16) contact hours or the equivalent of one (1) credit towards matriculation in higher-level courses at the Caribbean Maritime Institute (CMI). On successful completion of a case study-based group assessment, participants will be awarded a **Joint SAJ – CMI Certificate of Achievement**.

## REGISTRATION FORM

To register for **Essential Legal Principles of Commercial Shipping** please complete this form:

<b>Full name</b>	
<b>Position</b>	
<b>Company</b>	
<b>Address</b>	
<b>Telephone</b>	
<b>Fax</b>	
<b>E-mail</b>	
<b>Payment Method</b>	<input type="checkbox"/> Cash <input type="checkbox"/> Cheque

**NB!!!!!!** Forms should be completed and returned by the latest **Wednesday April 11, 2007**.

(Please photocopy if more than one person wishes to attend)

### PLEASE RETURN TO:

**SHIPPING ASSOCIATION OF JAMAICA**  
**4 FOURTH AVENUE, NEWPORT WEST**  
**PORT BUSTAMANTE,**  
**KINGSTON 15**  
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**EMAIL: ANDREAC@JAMPORTS.COM;**  
**SACHAV@JAMPORTS.COM**

**CARIBBEAN MARITIME INSTITUTE**  
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