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Maritime Contracts (MC) & Introduction to Mediation

SkillsPlus & [Academy of International Dispute Resolution & Professional Negotiation](#) are conducting a two days' workshop on Maritime Contracts Management and Introduction to Mediation on 21-22 June 2019

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

Maritime Contracts (1-day Masterclass, 21th June 2019) (Conducted by SkillsPlus Limited)

- 1) **Introduction to Contract Law:** Basics; Types of Contracts; Language & Homemade Clauses; Sale of Goods Act 1979; Unfair 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.
- 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.



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

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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

Introduction to Mediation (1 day): 22nd June 2019

(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.





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

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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

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

Tel: (852) 6773 3698



(CV attached)

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



(CV attached)



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The two days' Masterclass has 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, please refer to the ProTERS application form and MATF Notes to Applicants**.

(email: 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 will be held at The Collab, Wanchai, Hong Kong from 21st June to 22nd June 2019 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: BKCHHKHXXX



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**Maritime Contracts
&
Introduction to Mediation**

21 - 22 June 2019

Application Form

Name: _____

Email Address: _____

Day Time Telephone Number: _____

Organisation: _____

Occupation:

Details of Education:

Professional or Industry Qualifications:

Signature: _____

Date: _____

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

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

Tel: (852) 6773 3698



Prof. Francis Law is the President of Hong Kong Mediation Centre (HKMC), Founding Chairman of Mainland - Hong Kong Joint Mediation Center (MHJMC), Founding Chairman of the International Dispute Resolution and Risk Management Institute (IDRRMI), President of the Academy of International Dispute Resolution and Professional Negotiation (AIDRN), Past Chairman of Asian Mediation Association (AMA), Vice-Chairman of Guangdong, Hong Kong and Macau Mediation Alliance GHMMA) Prof. Law is an experienced international business consultant and expert of dispute resolution. He has more than 30 years of experience in Public Administration Management, Human Resources, Conflict Management and corporate development. Prof. Law has the expertise in organizational development, competency building, leadership development, performance management and executive coaching.

Prof. Law has conducted a wide variety of mediation cases, including employment, professional liability, probates, personal injury, international trade, workplace and cross-border disputes. Prof. Law is serving on the mediator and arbitrator panels of over 15 regions/countries. He was invited to be an Annexed Mediator of the People's Court of Qinghai, China. Since 2012, he has been appointed by the Secretary of Justice of Hong Kong as the member of the Steering Committee on Mediation, Accreditation Sub-committee, Regulatory Framework Sub-committee and Public Education and Publicity Sub-committee.

Prof. Law is the Lead Trainer and the Lead Assessor of the Dispute Resolution profession in Hong Kong, China and other Asia countries. He is the Adjunct Senior Lecturer of the LLM/MA courses of Macau University of Science and Technology and City University of Macau and Heng Seng Management College of Hong Kong. He has trained up thousands of coaches, assessors, trainers and professionals in relation to conflict resolution, negotiation and workplace mediation, including government officials, lawyers, social workers and other professionals in conjunction to Universities in Hong Kong, in the mainland and overseas. Trained over 1000 mediators, 100 Assessors, Coaches and Trainers globally. He also assists Arbitration and Mediation Institutions in Asia to set up mediation policy, design mediation training and establish the assessment and disciplinary mechanism. With the support from the Department of Justice of Hong Kong and the CCPIT, Prof. Law co-founded the Mainland - Hong Kong Joint Mediation Center (MHJMC) in 2015 which is the first diversified cross-border commercial disputes resolution platform. MHJMC aims at establishing the comprehensive and systematic training and accreditation mechanisms for the mediation professions in China and facilitates Hong Kong to well position in providing international dispute resolution services. In January 2018, the People's Court of Qinghai,

China, Mainland-Hong Kong Joint Mediation Centre and Arbitration Centers of Shenzhen jointly constructed the “Belt & Road International Commercial Court-Connected Mediation Centre of Qian Hai. It is the first Mediation-Litigation conversion center aimed at effectively resolving the Belt and Road and International commercial disputes. Prof. Law is also a columnist publishing articles in commercial and workplace disputes in local newspaper/ magazines. Since 2016, he has been leading delegations to attend the United Nation Commission of International Trade Law Sessions and presented professional comments and contributed to the Mediation Conversion. Prof. Law was awarded a Certificate of Commendation by the Secretary of Home Affairs to command for his dedicated services and outstanding contribution to the promotion of mediation professional services.

Mr. Alfred Ho-Man CHAN

陳顯文

**Ph.D. Research (Surgery),
M.Sc. (Health Education),
Pg.D. (Public Health),
B.Sc. (Medical Biochemistry)**

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Mediation specific Qualifications

Accredited Coach and Mediator, Hong Kong Mediation Centre (AM1546)

Accredited Assessor, Coach and Mediator, Mainland – Hong Kong Joint Mediation Centre

Accredited Mediator, Hong Kong Mediation Accreditation Association Limited

Mediation-related Management positions

Date	Event	Positions
2015 – Present	Hong Kong Mediation Centre (HKMC)	• Vice President
2015 - Present		• CPD and Membership Committee - Chairman
2014 - 2015		• Disciplinary Committee - Co-chairman
2014 - 2015		• CPD and Membership Committee - Co-chairman
2014 – Present		• Council Member
2016 – Present	Mainland – Hong Kong Joint Mediation Center	• Director
2015 – Present	Hong Kong Mediation Accreditation Association Ltd.	• Alternate Director

Some of the Participating Companies 2018-19



Programs Conducted in September 2017 - March 2019 and Planned in the next three months

	Program Name	Date	Place
1	Ship Sale & Purchase for Ship Managers	19th September 2017	In-House program for Anglo-Eastern Ship Management for Superintendents and Managers in Hong Kong
2	Ship Sale & Purchase (Learning through case studies)	21st October 2017	Hong Kong
3	Shipping Contracts Management & Introduction to International Arbitration	11 – 13 Jan 2018	Hong Kong (Jointly with Chartered Institute of Arbitrators, East Asia Branch)
4	Charterparty Disputes & Prevention	8 March 2018	Mumbai, India
5	Shipping Contracts Management	21-22 March 2018	Singapore
6	Charterparty Disputes & Prevention	3 May 2018	New Delhi, India
7	Shipping Contracts Management & Introduction to International Arbitration	7 – 9 June 2018	Hong Kong (Jointly with Chartered Institute of Arbitrators, East Asia Branch)
8	Shipping Contracts Management & Charterparty Disputes & Prevention	24-25 June 2018	Dubai, UAE
9	Essential Commercial Knowledge	9 th August 2018	Hong Kong
10	Practical Dry Cargo Chartering	16-17 August 2018	Singapore
11	Charterparty Disputes & Prevention	20 th August 2018	Mumbai, India
12	Charterparty Disputes & Prevention	31 st August 2018	Delhi, India
13	Shipping Risk Management & Derivatives (An Applied Approach)	7 th October 2018	Dubai, UAE
14	Shipping Disputes & Prevention (Charterparties, Bill of Lading and Bunkers)	8 th October 2018	Dubai, UAE
15	Practical Dry Cargo Chartering	25-26 October 2018	Hong Kong
16	Ship Sale & Purchase	6-7 December 2018	Hong Kong
17	Shipping Markets and Dry Cargo Chartering	14-15 January 2019	In-House Program for TATA International
18	Shipping Risk Management & Derivatives (An Applied Approach)	21-22 January 2019	Hong Kong
19	Essential Commercial Knowledge	14-15 February 2019	Hong Kong
20	Shipping Risk Management & Derivatives (An Applied Approach)	22 February 2019	Singapore
21	Shipping Contracts Management & Introduction to International Arbitration	7-9 March 2019	Hong Kong (Jointly with Chartered Institute of Arbitrators, East Asia Branch)
22	Basic Ship Sale & Purchase	12th March 2019	Singapore
23	Shipping Disputes & Prevention (Charterparties, Bill of Lading and Bunkers)	18th March 2019	In-House program for Anglo-Eastern Ship Management for Shore Staff, Masters and Chief Officers
24	Impact of New Regulations: Dilemma for Shipowners & Managers	23rd April 2019	Hong Kong
25	Shipping Disputes & Prevention	3rd May 2019	Singapore
26	Essential Commercial Knowledge	10th May 2019	Hong Kong
27	Shipping Disputes & Prevention	8th June 2019	Mumbai, India
28	Shipping Risk Management & Derivatives (An Applied Approach)	14 June 2019	Singapore
29	Maritime Contracts & Introduction to Mediation	21 - 22 June 2019	Hong Kong (Academy of International Dispute Resolution & Professional Negotiation) in Hong Kong