



Institute of Seatransport
海運學會

Since 1984



In conjunction with



Supported by:



Lecture & Workshop on PRACTICAL ASPECTS OF MARINE HULL INSURANCE CLAIMS *in the context of Institute Time Clauses – Hulls 1/10/83*

MATF

MATF-funded courses on the “pre-approved” list (maritime-related) under ProTERS
CPD: Pending accreditation from the Law Society of Hong Kong

Course IV *Total Loss and Sue & Labour Charges*

Date: Saturday, 26th November 2022

Time:

Registration	From 09:00	
Lecture	Morning Session	09:30 – 12:45 (including 15-min. break)
	Afternoon Session	14:15 – 17:30 (including 15-min. break)
Lunch	12:45 – 14:15	(Sponsored by CTX and AMAdj for participants attending in person)

Venue: *Choose to attend by Zoom or in-person:*
Conference Room of Holman Fenwick Willan, 15/F., Tower One, Lippo Centre, 89
Queensway, Admiralty, Hong Kong.

Aim: This is the final one (1) day Course in a series of four being organized by the Institute of Seatransport [IoS] and Asia Maritime Adjusting [AMAdj], to provide a masterclass on the practical application of the principles of marine insurance in handling, adjusting and settling

“Total Loss and Sue & Labour”

claims, with a view to achieving the objectives of speed, economy, accuracy of settlement, and indeed a satisfied Insurer (and Reinsurer) and Assured. This Course should particularly appeal to claims executives working in offices of ship-owners, ship-managers, insurance companies, insurance brokers etc., as well as maritime claims service providers like surveyors, lawyers and adjusters and also for any practitioners in the maritime industry who may be interested in and/or wish to enrich their knowledge in insurance claims.

Main Features of the Syllabus:

- Consider provisions of MIA, 1906
 - Actual Total Loss – sec. 56, 57 and 58
 - Constructive Total Loss – sec. 60
 - Notice of Abandonment – sec. 62
- Actual Total Loss – missing ship, unexplained sinking, scuttling – burden of proof
- Constructive Total Loss – an analysis of Clause 19 of ITC
- Examples of how the principles operates
- A consideration of the costs which may be aggregated to make the vessel a CTL on figures
- Options: CTL or Repair or Unrepair?
- Claim documents for Total Loss of vessel
- Other total losses, related to CTL – arranged, compromised and commercial total losses
- A review of MIA sec.63 on the effect of abandonment
- Rights and liabilities of H&M Underwriters on payment of a CTL claim
 - Claims in addition to a Total Loss
 - Treatment of the wreck – sale of wreck, wreck removal
- Usual course taken by Assured and Insurers in CTL situation
- Features of Sue and Labour Charges
- Discussion and analysis of Clause 13 of the ITC – Duty of Assured (Sue and Labour) Clause
 - Provisions of MIA sec.78(4)
 - Who recovers what and why under such clauses
 - Nature and extent of duty
 - Underinsurance
 - Expenses incurred trying to save ship and cargo where there is a total loss
- Case Study – Workshop – Q&A
 - Actual Total Loss or Constructive Total Loss? - “*Kastor Too*” 2004
 - Recent legal decisions
 - CTL and Repair thereafter!
 - CTL of vessel at port of refuge with cargo on board – abandonment of voyage?
 - Adjusting claims for ATL, CTL and that under Clause 13.5 of ITC-Hulls 1/10/83
 - ITC v. Nordic Plan v. AIHC v. PICC concerning CTL and S&L
 - P&I claims arising from total loss of vessel.

Programme:

Morning session	Legal provisions and Insurance coverage
Afternoon session	Workshop, Case Study and Adjustment

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Instructors:

- **Raymond T C Wong**, (the Course leader) Emeritus Chairman of the IoS, Fellow of the British Association of Average Adjusters [AAA] qualified in 1980.



- **William Lai**, Fellow of AAA qualified in 2019 and member of the Institute of Chartered Shipbrokers; currently on the IoS education sub-committee and the editorial board of “Seaview”, the quarterly journal of the IoS.

Panelists

Experienced practitioners of the maritime industry will be invited to share their experience in the case study and discussion sessions, including the following IoS professional members:

- **Rocky Siu**, Master Mariner, HK Senior Pilot, holding Master Degree of Maritime Law (CityU), and an Associate of AAA; sitting on the IoS education sub-committee.
- **Wong Cho Hor**, a Logistics & Projects Consultant with a range of maritime practice experience.
- **Eric Wu**, with over 17-year experience in P&I claims and underwriting after adjusting averages for some 10 years, sitting on the IoS Executive Committee.

[For more details about the speakers, please refer to page 5.]

Medium of Instruction:

English (but questions during the class can be made in English, Cantonese or Putonghua)

Fees:

By Registration:

HK\$1,500 per person

For Members of the Institute of Seatransport: Free of charge

For Members of the Marine Insurance Club: HK\$1,200 per person

For attendees either of Course I, II or III: HK\$1,200 per person

For attendees by invitation (overseas included): Free of charge

The fee includes attendance, online or in-person, and e-documentation; lunch for in-person participants will be free of charge. Payment receipt will be issued to each paid participant.

The Course fees collected will be donated to the Education Fund of the **Institute of Seatransport**.

Award: Participants who achieve the 6-hour attendance will be awarded a Certificate of Attendance.
[MATF Refund is available for eligible participants.]
[Applying for CPD points by the Law Society of Hong Kong – to be confirmed.]



“Total Loss and Sue & Labour”

Application Procedure:

- Please complete the Enrolment Form (below)
- Then, please email the completed form to: info@seatransport.org followed by post with payment, upon receipt of which we will send you confirmation by email
- Reservation will be accepted on a first - come – first - served basis
- The course fee will not be refundable

Enquiries: Ms. Clair Wong - T: 2581 0003 E: info@seatransport.org

Website: www.seatransport.org

ENROLMENT FORM

PRACTICAL ASPECTS OF MARINE HULL INSURANCE CLAIMS
Total Loss and Sue & Labour Charges

26th November 2022

Last Name : _____ First Name(s) : _____
[For application for MATF Refund, the full name must be the same as that in the HK ID Card.]

To attend : _____ [online by Zoom or in-person]

Attending in-person will join the course lunch free of charge – _____ [Yes or No]

Whether Member of : Institute of Seatransport _____ [Yes or No]
Marine Insurance Club _____ [Yes or No]

Whether attendee either of Course I, II or III: _____

Telephone/Mobile : _____ Email address: _____

Company / University : _____

Correspondence Address : _____

For non-IoS Members:

Please send cheque drawn payable to “**Institute of Seatransport**” to Institute of Seatransport:
Room 1407, 14/F., OTB Building,
259-265 Des Voeux Road C.,
Sheung Wan, Hong Kong.

OR

Please pay in direct to the following bank account of Institute of Seatransport with Dah Sing Bank and email the Bank’s transaction advice confirming such payment, to info@seatransport.org

Bank : Dah Sing Bank
A/c No: 85-328-0360-3
i/n/o : Institute of Seatransport

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SPEAKERS

- **Mr. Raymond T C Wong**
Principal
Asia Maritime Adjusting (Hong Kong)

Average Adjuster, fully qualified in 1980 by stringent examination, becoming the first Chinese Fellow of the British Association of Average Adjusters (better-known as AAA). He has been sitting on the Advisory & Dispute Resolution Panel of the AAA.

Raymond started his career in 1966 with the oldest average adjusting firm, Messrs. William Richards & Sons (currently named Richards Hogg Lindley). He was an equity partner of Richards Hogg prior to its incorporation and following its acquisition by Charles Taylor plc., he was appointed to sit on the latter's Board of Directors during 1999/2008. After retirement from the firm he had worked for some 46 years, Raymond continued his service and commitment to the maritime and insurance communities and has launched, in conjunction with colleagues in the region, the average adjusting services under the umbrella of Asia Maritime Adjusting (Hong Kong) within TCWong Average Consulting Ltd.

Raymond is a regular lecturer/speaker on general average and maritime claims related topics. He is a founder member and former chairman of Marine Insurance Club (established in 1979), a former chairman and the current emeritus chairman of Institute of Seatransport (established in 1984) – an institutional member of the HK Maritime Port Board, an honorary advisor of the HK Logistics Management Staff Association (established in 1986) and a founder member and former executive committee member of HK Maritime Law Association (established in 1987). Raymond sat on the executive committee of the HK Shipowners Association during 2003/2011.

- **Mr. LAI Wai Lim, William**
Assistant General Manager
Charles Taylor Adjusting / Richards Hogg Lindley

William began his career in the maritime industry in 2005, and has experience in a range of maritime practice, on liner shipping agency, ship broking, marine insurance broking (underwriting and claims handling), and started practising average adjusting at Asia Maritime Adjusting (HK) in 2014. Having satisfied the demands of the examiners of the Association of Average Adjusters, he was elected a Fellow of the Association at its general meeting in May 2019. He joined Charles Taylor Adjusting in August 2020 and as a member of the senior adjusting team, he helps to serve the clients in Greater China market in various kinds of marine hull claims. He is currently on the executive committee of the Marine Insurance Club in Hong Kong and the Hong Kong Logistics Management Staff Association, also sitting on the IoS education sub-committee and the editorial board of “Seaview”, the quarterly journal of the IoS.

- **Mr. Eric Wu**
Director
Head of Underwriting
Steamship Mutual Management (HK) Ltd.

A graduate of the Chinese University of Hong Kong; holds a Master of Science in Business Management and has a UK law degree from Manchester Metropolitan University.

Eric joined Steamship Mutual from another IG Club in 2009 and has 17 years of P&I experience. Prior to this he gained 10 years' experience as an average adjuster.

Eric is currently an Executive Committee member of the Institute of Seatransport (since 2016).

- **Mr. WONG Cho Hor**
Logistics & Projects Consultant and Director of Five Oceans Maritime Ltd.

Wong Cho Hor read Economics & International Relations at University College London. He began his career in 1973 and has experience in a range of maritime practice, on corporate, ship acquisition, financing, ship-management (shipbuilding & Repairs, Technical & Maintenance, Marine Insurance, Chartering, Operations & Agency, Legal & Disputes) and project financing (Harbour and other infrastructures). He served as a Director of the Charterers P&I Club. He is currently an Executive Committee member of the Hong Kong Logistics Management Staff Association. He was appointed Sector Specialist for Transport & Logistics by the Hong Kong Council for Accreditation of Academic Qualifications until 31 December 2013. He released the Belt & Road Initiative General Theory (BRIGT) in June 2018. He was from 2014 the Administrator of the Interdisciplinary Maritime Practice (IMP) (24 monthly sessions) and Belt & Road Initiative Forum (RBIF) (4 bimonthly sessions) Workshop Series with Mr. Raymond Wong as Chair of Panel of Moderators.

- **Mr. Rocky Siu**

Master Mariner, HK Senior Pilot, practising average adjusting at Asia Maritime Adjusting (HK). Rocky studied shipping and logistics at The HK Polytechnic University (2004) and started his career with The China Navigation Co., Ltd. (Swire Shipping). He holds a Master of Law in Maritime Law (City University of HK with The HK Maritime Law Scholarship (2015). Rocky is an Associate (by qualification examination) of the Association of Average Adjusters; currently sitting on the IoS Education sub-committee.