

SCMA PERSPECTIVES SEMINAR

What happens when the performance of a contract is impacted by sanctions?

IN-PERSON SEMINAR

15 MARCH 2023

4.00PM - 7.00PM

(REGISTRATION STARTS AT 4.00PM)



Public CPD Point: 1.5

Practice Area: Admiralty Practice/
Shipping

Training Level: Foundation



ALLEN & GLEDHILL LLP

ONE MARINA BOULEVARD

#30-00 SINGAPORE 018989

NO REGISTRATION FEE

REGISTER HERE

Seats are limited. Registration is on a first come, first served basis.

JOINTLY ORGANISED BY:



ALLEN & GLEDHILL

Sanctions form an ever-increasing part of shipping and international trade lawyers' diet. This is only likely to increase as existing sanctions bite harder and new ones are imposed while Russia continues its illegal invasion of Ukraine.

Navigating the choppy and uncharted waters sanctions often create challenges. Only now are a significant number of cases beginning to be heard before national courts. This would provide the needed guidance to both legal practitioners, in-house counsels, and executives in the shipping and international trade industries.

The seminar combines legal expertise with industry knowledge to provoke discussion about the impact of sanctions. This includes discussing and hopefully getting answers to some of the novel (and not so novel) questions that have arisen would be uncovered.

PROGRAMME

4.00PM - 4.20PM	Registration
4.20PM - 4.25PM	Introduction
4.25PM - 5.45PM	Panel Discussion
5.45PM - 6.00PM	Question & Answer
6.00PM - 7.00PM	Refreshments and Networking

PARTICIPANTS WHO WISH TO OBTAIN CPD POINTS ARE REMINDED THAT THEY MUST COMPLY STRICTLY WITH THE ATTENDANCE POLICY SET OUT IN THE CPD GUIDELINES. FOR THIS ACTIVITY, THIS INCLUDES SIGNING IN ON ARRIVAL AND SIGNING OUT AT THE CONCLUSION OF THE ACTIVITY IN THE MANNER REQUIRED BY THE ORGANISER, AND NOT BEING ABSENT FROM THE ENTIRE ACTIVITY FOR MORE THAN 15 MINUTES. PARTICIPANTS WHO DO NOT COMPLY WITH THE ATTENDANCE POLICY WILL NOT BE ABLE TO OBTAIN CPD POINTS FOR ATTENDING THE ACTIVITY. PLEASE REFER TO [HTTP://WWW.SILECPDCENTRE.SG](http://www.silecpdcentre.sg) FOR MORE INFORMATION.

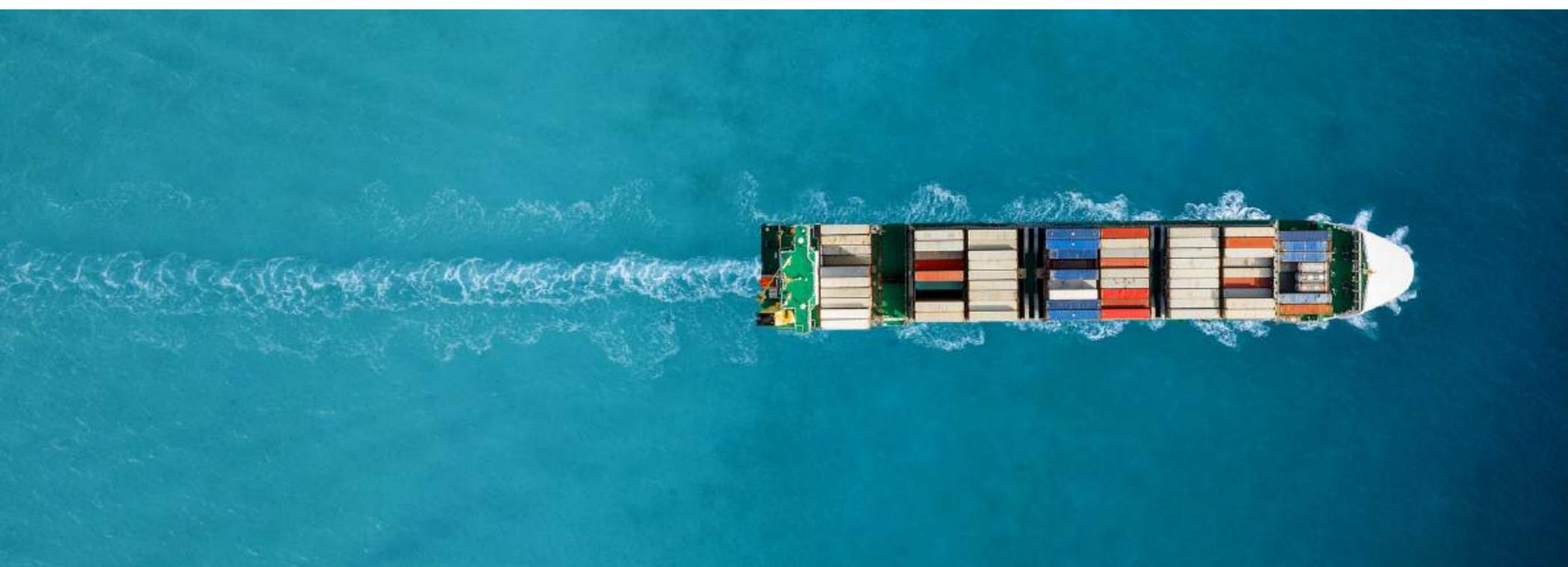
SCMA PERSPECTIVES SEMINAR

What happens when the performance of a contract is impacted by sanctions?



TOPICS TO BE DISCUSSED INCLUDE:

1. The doctrines of force majeure and frustration and their impact on charterparties, bills of lading and commodities contracts;
2. Hot topics in commodities sector – import/export bans, quasi export bans and price caps imposed on the sale of Russian oil;
3. Modifying contractual performance to overcome a force majeure event as discussed in the recent English Commercial Court judgment in Gravelor Shipping Ltd v. GTLK Asia M5 Ltd & Anor [2023] EWHC 131 (Comm) (27 January 2023) that follows from the English Court of Appeal decision in MUR Shipping BV v. RTI Ltd [2022] EWCA Civ 1406;
4. Obtaining judgments in favour of or against sanctioned entities, an issue in PJSC National Bank Trust & Anor v. Boris Mints & Ors [2023] EWHC 118 (Comm) (27 January 2023);
5. The possible defence of illegality and the interrelationship between UK, EU, US and Singaporean sanctions;
6. Current pressure points and areas of interest in marine insurance.



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MODERATOR



**SARA MASTERS
KC**

TWENTY ESSEX

Sara Masters KC is hugely experienced in international arbitration both as counsel and arbitrator before the major international arbitral institutions and trade bodies. Sara has a global practice and is involved in many arbitrations involving the Asia Pacific region. She also has experience in the rapidly changing world of commercial sanctions both as counsel and as arbitrator with a particular focus on Russian and Iranian sanctions in the transport and energy sectors, but also extending to more general commercial contexts.

Sara acts as an expert witness on English law before foreign courts, including the French, Singaporean, Malaysian, Hong Kong and US Courts. Sara is a go-to Silk for cases raising difficult jurisdiction and private international law issues. Her practice extends to commercial disputes, (particularly complex multi-jurisdictional disputes), EU law (with a focus on competition and private international law), shipping (including shipbuilding and ship sale disputes) and commodities, construction, energy, insurance (including marine insurance) and re-insurance.

Sara accepts appointments as an arbitrator both in a variety of global seats. She has wide experience of both ad hoc and institutional arbitrations including LCIA, SIAC, CIETAC, UNCITRAL and LMAA.

SPEAKERS



**MICHAEL COLLETT
KC**

TWENTY ESSEX

Michael's areas of practice include general commercial disputes, international trade, shipping (including charterparty, contract of affreightment, bill of lading, shipbuilding, and ship sale and purchase disputes), commodities, conflicts of laws, insurance (including marine insurance and protection and indemnity cover), reinsurance, banking, and shareholder disputes.

Michael appears both in court and before a variety of arbitration tribunals. He is registered to appear before the Singapore International Commercial Court (SICC).

He accepts appointments as an arbitrator. Michael has been involved in a number of references under various regimes, including the LCIA and LMAA terms, UNCITRAL rules, and ad hoc. He is a member of the panel of arbitrators of ARIAS (UK), MOOGAS, SCMA and SIAC.



**ERIK WIDJAJA
PARTNER**

ALLEN & GLEDHILL

Erik's primary areas of practice encompass maritime and trade matters with a focus on dispute resolution. He has been involved in matters relating to maritime collisions and incidents, cargo claims, bills of lading, trade finance (including letters of credit and indemnities), international sale of goods, ship repair, offshore rigs, charterparties.

Apart from contentious matters, Erik regularly advises clients on legal issues that arise in the course of their business dealings and transactions, including but not limited to sanctions, and import and export controls.

Erik is one of the youngest lawyers to be recognised as an Accredited Specialist in Maritime and Shipping Law by the Singapore Academy of Law, and has been rated Future Star by Benchmark Litigation.



**PUJA
VARAPRASAD
SENIOR LAWYER**

GARD SINGAPORE

Puja joined Gard in 2014 and is based in the Singapore office. She is currently a Senior Lawyer in Gard's Defence / Charterers & Traders Claims Asia team. Puja is a qualified lawyer in Singapore (2009), and has 13 years of experience in maritime law and litigation. Prior to joining Gard, she was a shipping and trade litigator in private practice.

Puja works closely with both Owner and Charterer & Trader clients globally, and primarily in South East Asia, India and Australia. She advises on a wide spectrum of issues such as GA, off spec bunkers, cargo misdelivery, CP clause reviews and termination of CPs. Her portfolio includes tanker, dry bulk and LNG charterer and trader clients. She has managed large arbitrations and High Court trials.

Puja is the Regional Compliance Officer, and a member of Gard's specialist Sanctions Advisory team. She has advised both colleagues and members on sanctions risks and obligations.

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