



SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



WA Branch First Virtual Seminars

In response to COVID-19 restrictions, the MLAA NZ Western Australia (WA) Branch put together a virtual seminar series for 2020.

Our first trial virtual presentation was held on June 25, appropriately titled: “COVID-19 – what does it mean to the maritime sector?” We were delighted to have as guest speakers two industry stalwarts – Tony Pegum of Mitsui OSK Lines and Dr Kate Lewins of Murdoch University.

The topic was of significant interest, attracting a record number of participants from WA, the eastern states and a large contingent of delegates from New Zealand. We received positive feedback and overall it was a resounding success (despite the potential for technical challenges).

We very much welcomed and appreciated the level of participation and support. Thank you to all participants and a warm welcome to the newcomers who have not previously attended WA Branch sessions. A special thanks also to our esteemed speakers for sharing their thoughts on this important topic.

The presenters addressed both the immediate and likely longer-term implications of COVID-19 on the shipping industry.

Some of the specific topics covered included: the commercial implications of COVID-19 on the industry, including the disruption to supply chains; the increasing use of force majeure notices; the use by some owners of the Baltic and International Maritime Council (BIMCO) Infectious Diseases Clause, 2015; the financial impact on merchant shipping which is yet to be reconciled as “cargo flows contracted and surplus shipping mounted” (in the words of Tony Pegum); the impact on the cruise ship industry; and the indelible impact of COVID-19 on seafarers, the International Maritime Organization’s call for all Governments to designate specific airports for safe movement and repatriation of crew, and the push to classify seafarers as “key workers” given their critical role in maintaining international supply chains and to exempt them from restrictions designed for passengers and non-essential personnel.

Our speakers also considered the human cost on stranded seafarers of COVID-19, with some 200,000 seafarers working in excess of their contractual periods and being unable to be repatriated due to pandemic restrictions on travel and personal movement, and the consequent hardships being faced by those seafarers.

Aptly, the seminar was held on the International Day of the Seafarer.

Given the outstanding success of the seminar, the WA Branch has decided to continue with our series of seminar presentations.

We conducted a second virtual seminar on July 23 titled “Maritime arbitration – current issues.” Our guest speaker was Phillip Teoh of the law firm Azmi & Associates, Kuala Lumpur. Once again, the branch was delighted to draw in involvement from MLAA NZ members from other branches, who participated virtually in this free event. Mr Teoh covered a range of factors relevant to maritime arbitration from a Malaysian perspective. He also shared insights on the types of disputes now escalating in the region in the wake of the COVID-19 pandemic.

We warmly welcome the ongoing participation of our colleagues on the eastern seaboard, in New Zealand and elsewhere.

We hope you can join us for the balance of the 2020 series.

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