



STREAMING LIVE | KUALA LUMPUR

15 FEBRUARY 2022
TUESDAY

5.00PM

**FREE
WEBINAR**
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THE ETERNAL BLISS

DEMURRAGE LIQUIDATES ALL

In the recent English Court of Appeal decision, *The Eternal Bliss* [2021] EWCA Civ 1712, an important point of law on demurrage was 'settled'. In overruling the High Court, the Court of Appeal held in no uncertain terms that demurrage *'liquidates the whole of the damages arising from a charterer's breach of the charter in failing to complete cargo operations within the laytime and not merely some of them. Accordingly, if a shipowner seeks to recover damages in addition to demurrage arising from delay, it must prove a breach of a separate obligation'*. That means demurrage covers any and all of them regardless of the kinds of loss the delay had caused. This webinar will examine:

- The context for the longstanding debate.
- Whether the ruling is justified on principle and commercial realities?
- The lessons or implications for other common law systems?
- The practical implications in drafting demurrage clauses in the future.

VENUE

DATE & TIME

FEES

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REGISTRATION FEES
FREE

INTERNATIONAL MALAYSIAN SOCIETY OF MARITIME LAW (IMSMML)
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PROGRAMME & HIGHLIGHTS

THE ETERNAL BLISS

DEMURRAGE LIQUIDATES ALL

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In Kuala Lumpur
Tuesday
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Programme

5.00pm - 5.05pm
Welcome & Introduction
Clive Navin Selvapandian
Partner
Christopher & Lee Ong

5.05pm - 5.55pm
The Eternal Bliss : Demurrage Liquidates All

- The context for the longstanding debate.
- Whether the ruling is justified, on principle and commercial realities?
- The lessons and/or implications for other common law systems?
- The practical implications for non-contentious lawyers drafting demurrage clauses in the future.

Professor Jason Chuah
Professor of Commercial and Maritime Law
The City Law School, City University of London, UK

5.55pm - 6.00pm
Q&A

**SPEAKERS &
MODERATOR**



Professor Jason Chuah

Professor of Commercial and Maritime Law
The City Law School, City University of London, UK

Professor Jason Chuah FRSA, PhD, LLM (Cantab.), LLB (Malaya) Cert. Inst of Export (UK) (Distinction) is Professor of Commercial and Maritime Law and formerly Head of Department at The City Law School, City University of London, UK. He graduated with First Class Honours from the University of Malaya and held three scholarships at the University of Cambridge. He chairs the London Universities Maritime Law and Policy Group. He is also Editor of the Journal of International Maritime Law. He has been involved in various consultations with the UK Government, the ICC, the Association of British Insurers, the UNCITRAL, etc. He has published 11 books and over 200 articles in academic and professional journals. His works have been cited by tribunals and institutions in the EU, US, UK and Asia, including the House of Lords.



Clive Navin Selvapandian

Partner, Christopher & Lee Ong
Moderator

Clive is an experienced Shipping and International Trade Disputes lawyer. He is involved in both dry and wet shipping disputes. Clive is recommended in Chambers Asia Pacific 2019 (Shipping - Malaysia) as an up-and-coming practitioner who has a strong track record on both wet and dry shipping disputes. Clive is currently serving as Treasurer of the International Malaysian Society of Maritime Law (IMSML).

If you need help with online registration or more information about the event, please contact

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