



# MARITIME LAW CONFERENCE 2011

CMG Events are Ireland's largest business conference organisers and are a division of the Commercial Media Group  
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# Maritime Law Conference 2011

## Programme

**7.45 Registration with tea, coffee and pastries**

**9.00 Opening Remarks from Conference Chairperson, Eamonn Magee, Barrister at Law and Consultant at O'Callaghan Kelly Solicitors**

**9.10 Exploring the key issues that will determine the shipping industry's health over next five years**

**Speaker: Glenn Murphy, Director, Irish Maritime Development Office (IMDO)**

- What are the effects of the global recession on the shipping industry?
- Has there been more activity in maritime insolvency, bankruptcy and lien claims?
- What is the demand for ships and services likely to be over the next five years?

**9.50 Competition law issues for shipping companies and ports**

**Speaker: Dr Vincent Power, Partner, A&L Goodbody**

- Shippers' perspective on current issues including cooperation between ship-owners and unilateral behaviour.
- Adapting to the crisis: defining the limits on cooperative behaviour between competitors in light of draft guidelines and recent case law.
- Analysing various forms of horizontal cooperation, including pricing and capacity issues.
- Examining the price signalling issue and other unilateral impacts.
- Amendments and changes to prohibitions under competition law and recent case studies.
- Identifying the current and new risk areas in competition law and how to manage them effectively.
- Compliance programmes – do they offer anything new and do they work?

**10.30 The challenging issue of claims within the maritime insurance industry**

**Speaker: Eamonn Magee, Barrister at Law and Consultant at O'Callaghan Kelly Solicitors**

- Maritime claims and relevant global trends and statistics.
- What role do international conventions play in liability regimes?
- Considerations of major casualties – what you need to be aware of.
- Hull and machinery, cargo and P&I issues from an underwriter's perspective.

**11.10 Coffee and chance to network**

**11.40 The impact of European Union environmental legislation on Irish ports**

**Speaker: John Wilde Crosbie, Barrister specialising in Admiralty & Maritime Law**

- The role of the port in sharing its essential facilities with other estuarine users including Mother Nature.
- The aspirations of the EU Treaties to protect the environment; to provide services of general economic interest; and to promote sustainable development.
- The EU Directives and regulations and their implementation for Irish ports.

**12.10 Procurement law for ports and government authorities**

**Speaker: Tony O'Connor, Senior Counsel with an interest in transport and maritime law**

- What does the Department of Finance Circular 10/10 'Facilitating small and medium enterprise sector' (SME) cover?
- What is the role and power of the National Procurement Service (NPS)?
- Understanding EU (award of contracts by utility undertakings) Regulations 2007.
- Enforcement of procurement law requirements through the Courts – what are the implications for purchasers and suppliers?

**12.50 Lunch and chance to network**

**2.00 Examining the challenges in Arbitration and Dispute resolution mechanisms**

**Speaker: Edmund Sweetman, Barrister specialising in Admiralty & Maritime Law, Arbitration/Dispute Resolution and Carriage of Goods**

- Challenges faced by lawyers, arbitrators and the contribution that international arbitration centres are making to the establishment of competent dispute resolution mechanisms.
- Making your arbitration award matter - enforcing your award.
- Charter-party arbitration clauses in bills of lading and cargo claims to overcoming hurdles towards a functioning maritime arbitration and mediation in the Middle East.
- Growth in the relationship between arbitration and mediation in maritime disputes.
- The success of the small claims procedure and its process.
- What are the key causes of maritime dispute?

**2.40 Ship arrest – finding the ship, managing the process and related insolvency issues**

**Speaker: Colm Ó hÓisín, Senior Counsel and past President of the Irish Maritime Law Association**

- Locating the vessel and planning the arrest.
- Carrying out the arrest – securing the vessel; managing the arrest – expenses, dealing with crew and third party creditors.
- Evaluation of the crew upon arrest.
- Shipowner's defence to prompt a favourable settlement or to defeat an otherwise valid claim – checklist.
- Cross-border insolvency issues in shipping – are arrest options limited by bankruptcy of the shipowner?
- After an arrest – managing crew and ship maintenance.
- Insurance matters, passenger and cargo issues, costs involved.
- Remedies – freezing orders, attachment of non-ship assets and anti-suit injunctions. Differences between freezing orders and warrants of arrest.
- Practical steps to obtaining a freezing order and resisting a freezing order.

**3.20 The global issue of piracy and its implications for the shipping community**

**Speaker: Darren Lehane, Barrister at Law**

- Drivers surrounding the increase in piracy and how effective has the international community response been to slow its progress?
- What are the key operational solutions to combat piracy? We look at the application and effectiveness of best management practices.
- What commercial solutions are available, for instance private maritime security, armed guards, etc? We also explore your legal position regarding fire arms on board and repelling actions.
- What is the short to mid-term prognosis for piracy? Where are we seeing the greatest growth in piracy?
- How is it impacting the Irish shipping community?

**4.00 Conference closing remarks**

**4.05 Conference close**

# Speaker Biographies

## **Eamonn Magee, Barrister at Law and Consultant at O'Callaghan Kelly Solicitors**

Eamonn Magee qualified as a Barrister in Belfast in 1979. He was called to the Irish Bar in 1986. Most of his career has been spent in the corporate insurance sector and he worked for over 20 years in Dublin with the group now trading as Allianz where he was Marine and Aviation Manager. He is a past chairman of the Irish Institute of Marine Underwriters and has had a long involvement with the International Union of Marine Insurance (IUMI), having served on both its legal and liability committee and as a Vice President on IUMI's Executive Committee. He has been an Executive Committee member of the Irish Maritime Law Association for over 20 years and is a Titulary member of the Comité Maritime International (CMI). Eamonn is currently a consultant with O'Callaghan Kelly Solicitors in Dun Laoghaire.

## **Edmund Sweetman, Barrister specialising in Admiralty & Maritime Law, Arbitration/Dispute Resolution and Carriage of Goods**

Edmund Sweetman is a barrister practising in Ireland in the areas of admiralty and carriage of goods. He has an LLM (Maritime Law) from the University of London. He is also a qualified Spanish lawyer (abogado) and practices in the area of maritime law in Spain with specialisation in ship arrest and salvage. He is currently the Secretary of the Irish Maritime Law Association.

## **John Wilde Crosbie, Barrister specialising in Admiralty & Maritime Law**

John Wilde Crosbie is a barrister who has a long-time involvement in maritime law, notably in relation to the environment and natural resources in the estuary ports of Drogheda, Shannon-Foynes, Waterford and Lough Swilly.

## **Tony O'Connor, Senior Counsel with an interest in transport and maritime law**

Tony O'Connor qualified as a solicitor in one of the big three solicitors' firms where he trained and worked for a few years before acting as legal adviser to Aer Lingus for two years. He was recruited by another large firm to work on competition and acquisitions which led to his writing of the first book on the Competition Act. Thereafter he practiced as a barrister on the western and Dublin circuits which renewed his experience and knowledge in admiralty, maritime, aviation and transport matters at a more local level. More recently as a Junior and now a Senior Counsel, he has been briefed to represent and advise harbour companies, transport providers, aquaculture and fishing enterprises among many others. In 2009 he successfully completed the arduous training and tests to become an accredited Mediator by the International Centre for Effective Dispute Resolution (CEDR).

## **Dr Vincent Power, Partner, A&L Goodbody**

Dr Vincent Power is a Partner specialising in EU law, EU and Irish competition/antitrust law and transport law. He is Head of the Firm's EU and Competition Group which is consistently ranked at the forefront of Irish law firms. Vincent has been involved in most of the leading competition, merger control, EU and State aid cases in Ireland for over 15 years including the major takeovers, investigations, court cases and studies. He has been involved in over 400 merger filings in Ireland and the EU. He advises both national and multinational clients as well as public and private bodies. Vincent regularly counsels clients in sectors as diverse as aviation, banking, computers, drinks, food, insurance, IT, professional services and shipping.

## **Glenn Murphy, Director, Irish Maritime Development Office (IMDO)**

Glenn Murphy is the Director of the Irish Maritime Development Office. Prior to joining the IMDO, he worked as a Chartered Shipbroker for 14 years specialising in international charter and S&P markets. He is a graduate of Trinity College in Dublin and has a Masters Degree in Economic and Policy Studies. He also has a postgraduate Honors Diploma in Stock Market studies and a diploma in Marketing Management. He is a Fellow of the Institute of Chartered Shipbrokers and has been a member of a number of high level government steering groups on ports policy, ports capacity, shipping taxation and seafarer training. The Irish Maritime Development Office (IMDO) is the body with the statutory responsibility for providing expert policy advice to the government on the development of the shipping and shipping services sector.

## **Colm Ó hÓisín, Senior Counsel and past President of the Irish Maritime Law Association**

Colm Ó hÓisín's practice spans a wide range of work including commercial, administrative public law and constitutional with a particular specialisation in maritime disputes. He has been appointed as Arbitrator in numerous commercial disputes including construction and also as Mediator in Irish commercial court litigation. Colm is a member of the Bar Council and the National Committee of ICC. He served as President of the Irish Maritime Law Association from 2007 to 2010 and is currently Chairman of ADR and the Arbitration Committee of Bar Council (2007 to date).

## **Darren Lehane, Barrister at Law**

Darren was called to the Bar in 2004. He is a member of the executive committee of the Irish Maritime Law Association and one of his specialisations is Admiralty Law. He has advised and represented ship owners, creditors and financial institutions in a wide variety of maritime matters.

# THE CMG EVENTS DIFFERENCE

The latest business information + new business contacts = New Business for you

CMG Events have been creating, organising and hosting business conferences for over 12 years. Our strong links and affinity with key industry sectors has enabled us to anticipate and identify key trends and deliver the information demands of business professionals. From market research through to "on stage" presentations, CMG Events produce over 20 major conferences annually and are established as the largest B2B conference organisers in Ireland. CMG Events is the conference division of the Commercial Media Group, Ireland's leading B2B information and media company. With market-leading business information delivery systems including online, print and events, CMG ensures you get the best business information available, when you want it and how you want it.

## NETWORK, NETWORK, NETWORK

As CMG Events are aimed at and attract business owners and delegates who are at senior management level, we have gone to great lengths to ensure you get maximum networking time. We heavily promote the benefits of networking to all our attendees. We know how important networking is, particularly during times like these.



### \* Bring plenty of business cards and build new contacts \*

This Conference offers plenty of networking opportunities; from the early morning tea and coffee reception, to refreshment breaks and our networking lunch. We also have dedicated "Network Zones" where you can meet new business contacts or arrange to catch up with people you met earlier in the day.



"We want you to leave your office, come to events like these, learn something new that may assist your business for the better, while also networking with like-minded professionals. Return to your office better informed with a handful of new business contacts."

*Tony Cantwell, Chief Executive, CMG Events*

## Tips for attending events

- Did you bring enough business cards?
- Ask the organisers to help you meet a particular person on the day
- Ask speakers questions to ensure you leave better informed
- Network, network, network!

## Comments from delegates who have attended our recent conferences

"Top class event, very professional, one of the best I have attended"

"Great event for Networking! I got many contacts for future projects. Thank you"

"Well run and focused event"

"Very well run event, well balanced approach and very good for networking"

"Very informative and cohesive"

"Good venue, well organised, good range of topics, will be back for future events"

"Very informative, difficult topic to cover comprehensively in one day, well done to the organisers"

"A very well run and professional event. Thank you!"

"Very good speakers. Useful info and timely. Keeping to time is excellent for concentration levels. Thank you"

"Very well organised and delivered"

"Practical experience well shared!"

"Great conference and good to have on Dart/Luas network"

"Video conferencing worked really well. Great event considering volcanic ash disruptions!"

"Well organised, relevant and good networking at lunch, thank you"

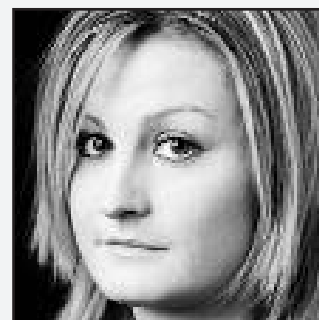
"Another well organised conference by CMG Events, up to the usual high standards"



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To give us your feedback on today's event or for further information on sponsorship opportunities or attendance at any of our Conferences, please talk to a member of the CMG Events team today or contact us on 01 293 4764 or email one of our team (see email addresses under photos)