

Reflections on liability in shipping

by

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Director at Wagenborg Shipping B.V.

1888: Starting as a Captain owner





ROYAL **WAGENBORG**

- 1898: founding shipping company
- 1905: passenger services
- 1925: warehousing, transshipment
- 1950: shipping and inland road haulage
- 1970: packaged timber



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Shipping in the fifties



Shipping in the seventies





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- 1985: strong growth in number and size of vessels and increased activities in international roadtransport
- 1985 first RoRo passenger ferry
- 1990 mobile cranes, special transport and assembly



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- 1995 Wagenborg starts new building programme of forty (40) 9000 tonners
- 1998 Wagenborg goes off-shore:
Wagenborg Kazakhstan
- 1999 Royal Wagenborg
- 2000 Wagenborg introduces
three (3) Ro-Ro paper carriers



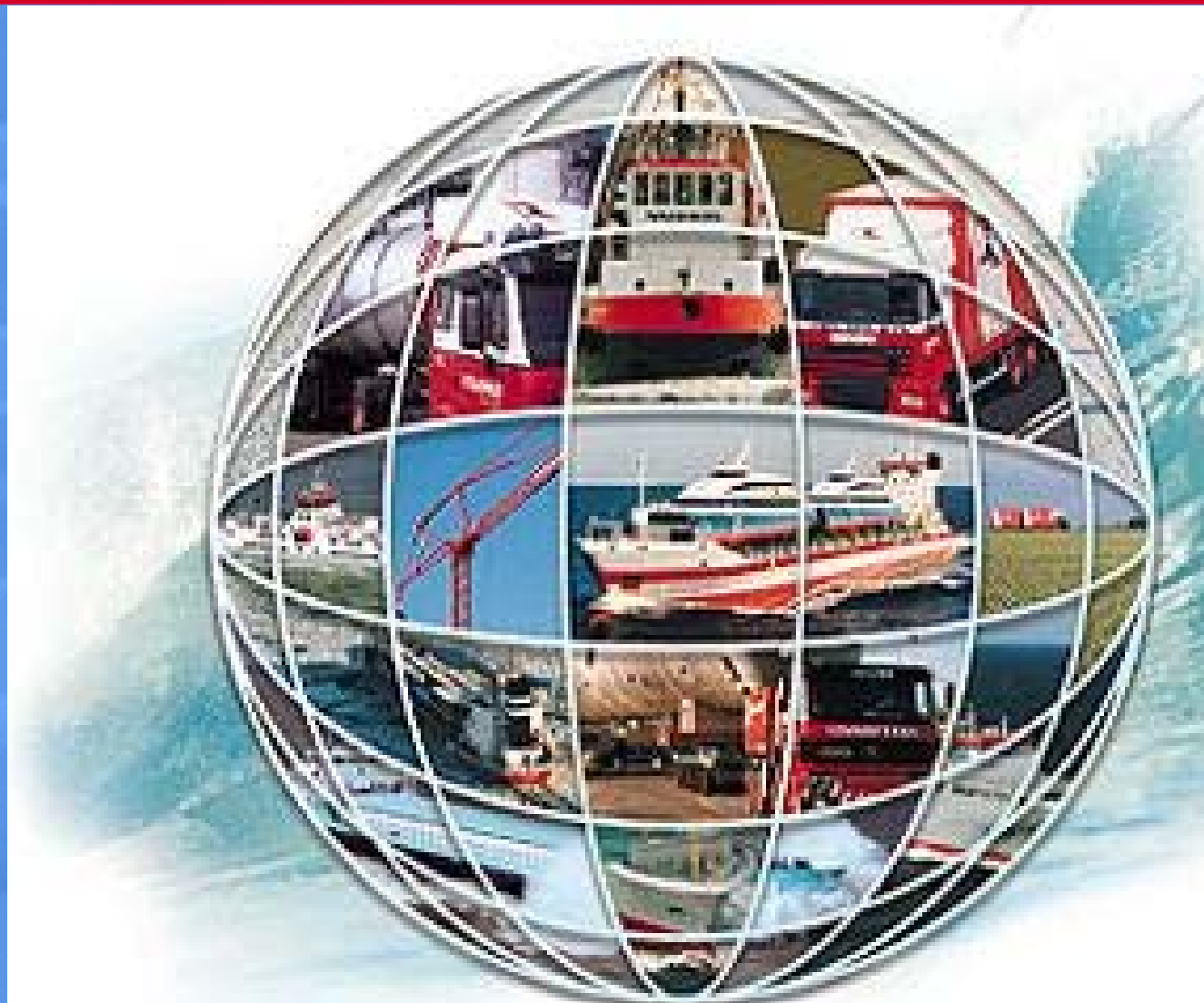
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- Wagenborg Shipping Sweden AB
- | | |
|------|---------------------------------------|
| 2002 | Wave Shipping Spain |
| 2003 | Wagenborg Shipping North America Inc. |
| 2004 | Wagenborg Greece |
| 2005 | Wagenborg Asia PTA LTD Singapore |





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History of Marine Insurance

Romans

Foenus Nauticum = early form of bottomry

Middle Ages

bottomry = loan at beginning of voyage only repayable plus interest at safe return of ship and cargo



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**Wether this applies
to them.....**



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16th & 17th Century



Important position of the Dutch Insurance Market until 1795, start of Lloyds in London.



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Development within the insurance market

- Hull insurance
- Protection & Indemnity (P&I)

P&I:

- 1855: first *protection* association formed. Covering not only Hull but also liabilities for loss of life, personal injury and collision risks excluded from the ordinary Hull policies
- 1874: also risks of liability for loss of or damage to cargo carried on board was added to the cover called *Indemnity Class*



Insurance today

Insurance markets as from 1900 till today:

- Leading role of London market: Lloyd's and Companies
- Still division between P&I and Hull
- Concentration in the market
- Increase of rates of both Hull and P&I insurances
- Importance for Owners having obtained ISO-certificates





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Is limitation for liability a necessity?



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What kind of risks are shipowners facing?



The liabilities, costs and expenses in respect of owning a vessel such as:

- liabilities in respect of third parties
- liabilities in respect of passengers
- liabilities in respect of seamen
- liabilities in respect of stevedores
- collision liabilities
- damage caused other than by collision
- damage to property
- wreck liabilities
- pollution risks
- quarantine expenses
- damage arising out of the carriage of cargo















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B.N. 515



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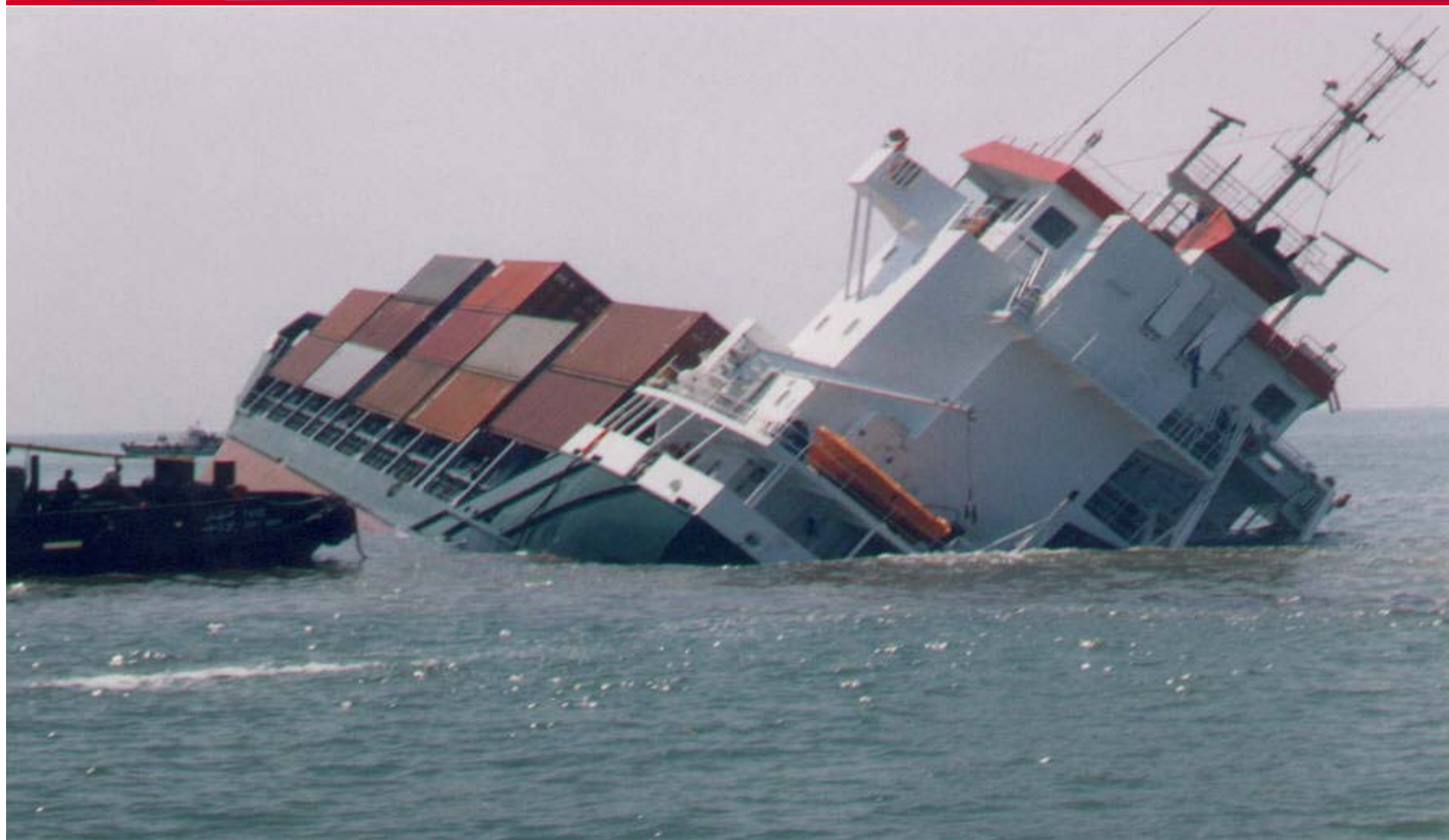




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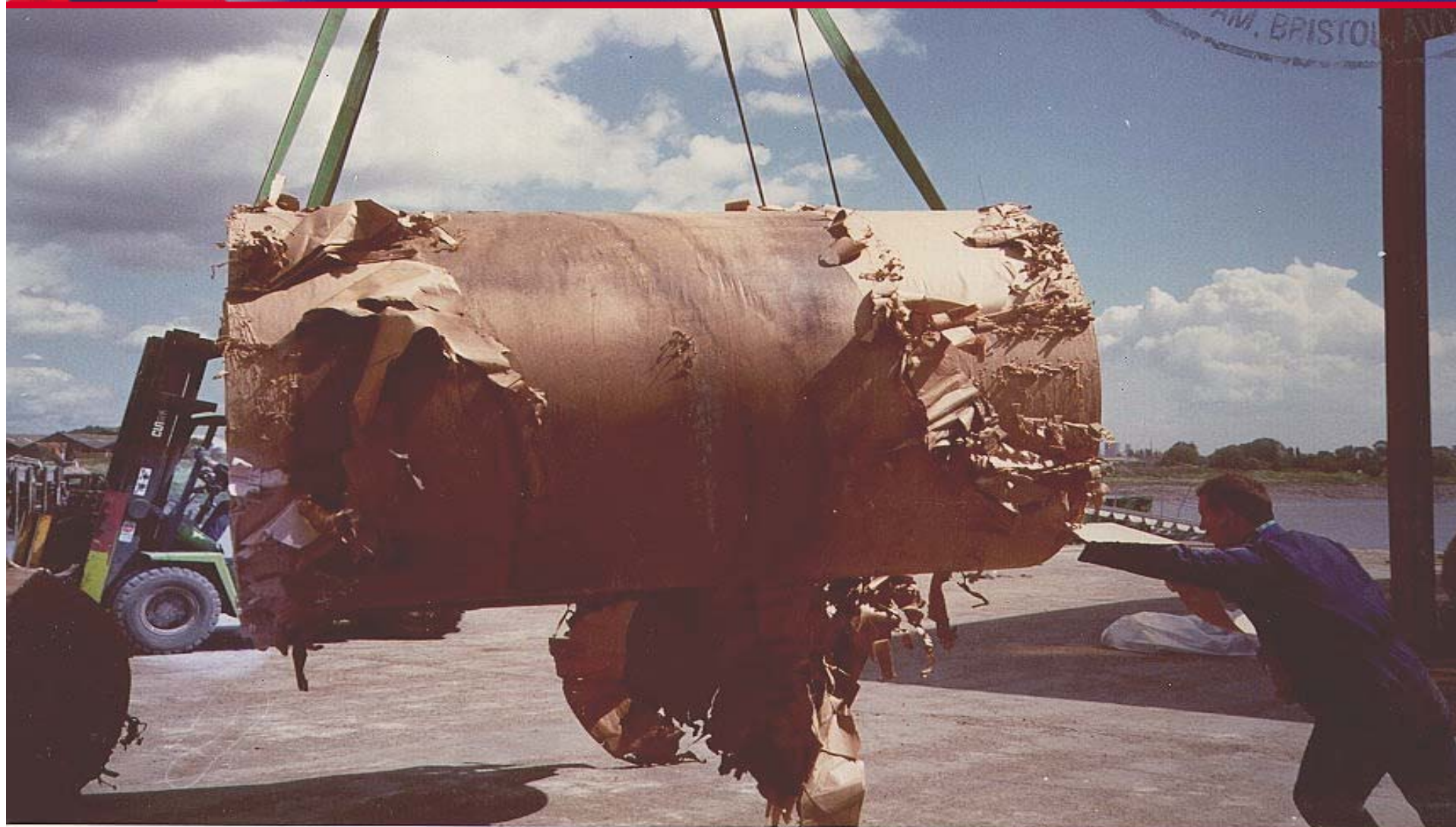




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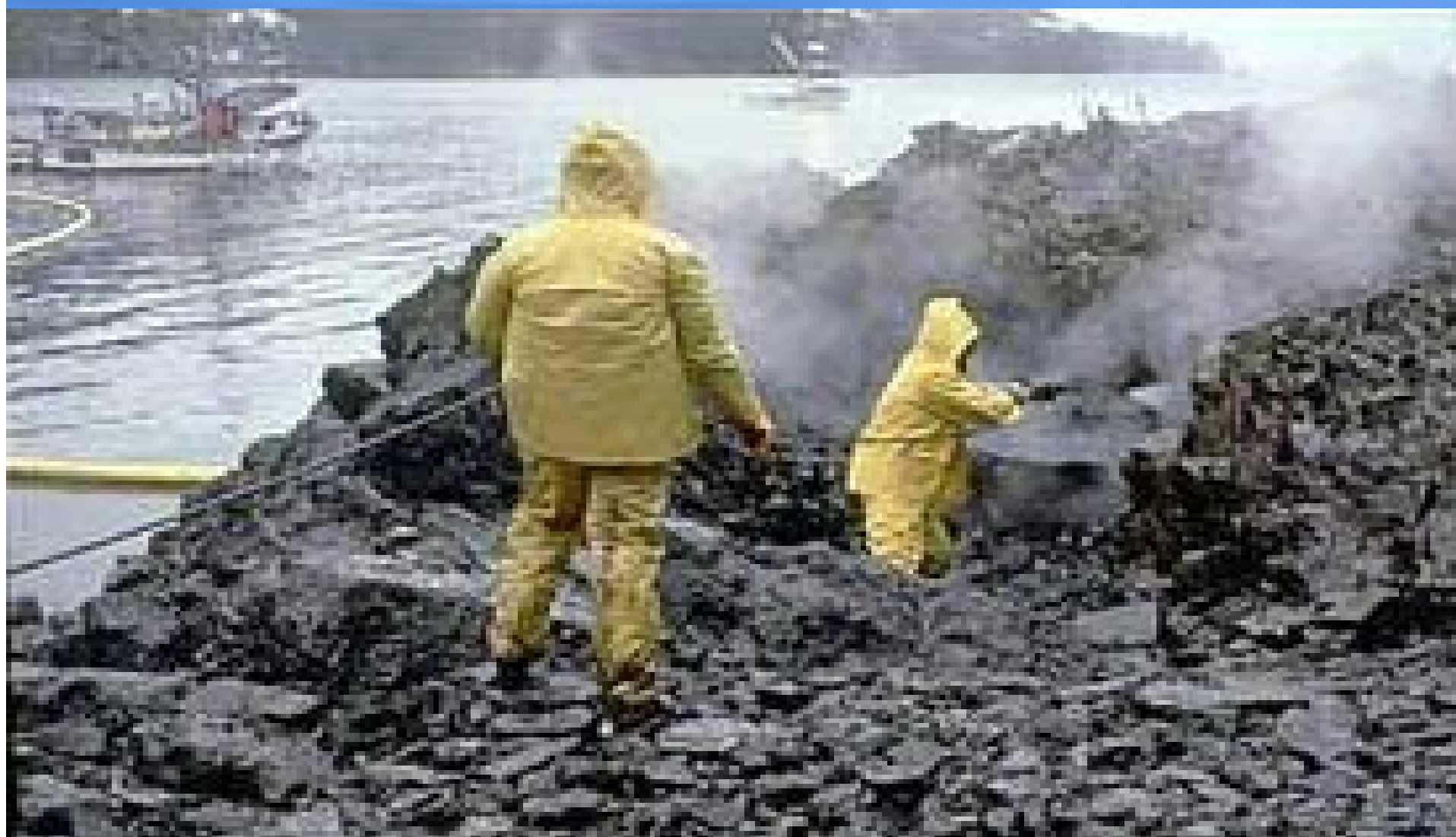
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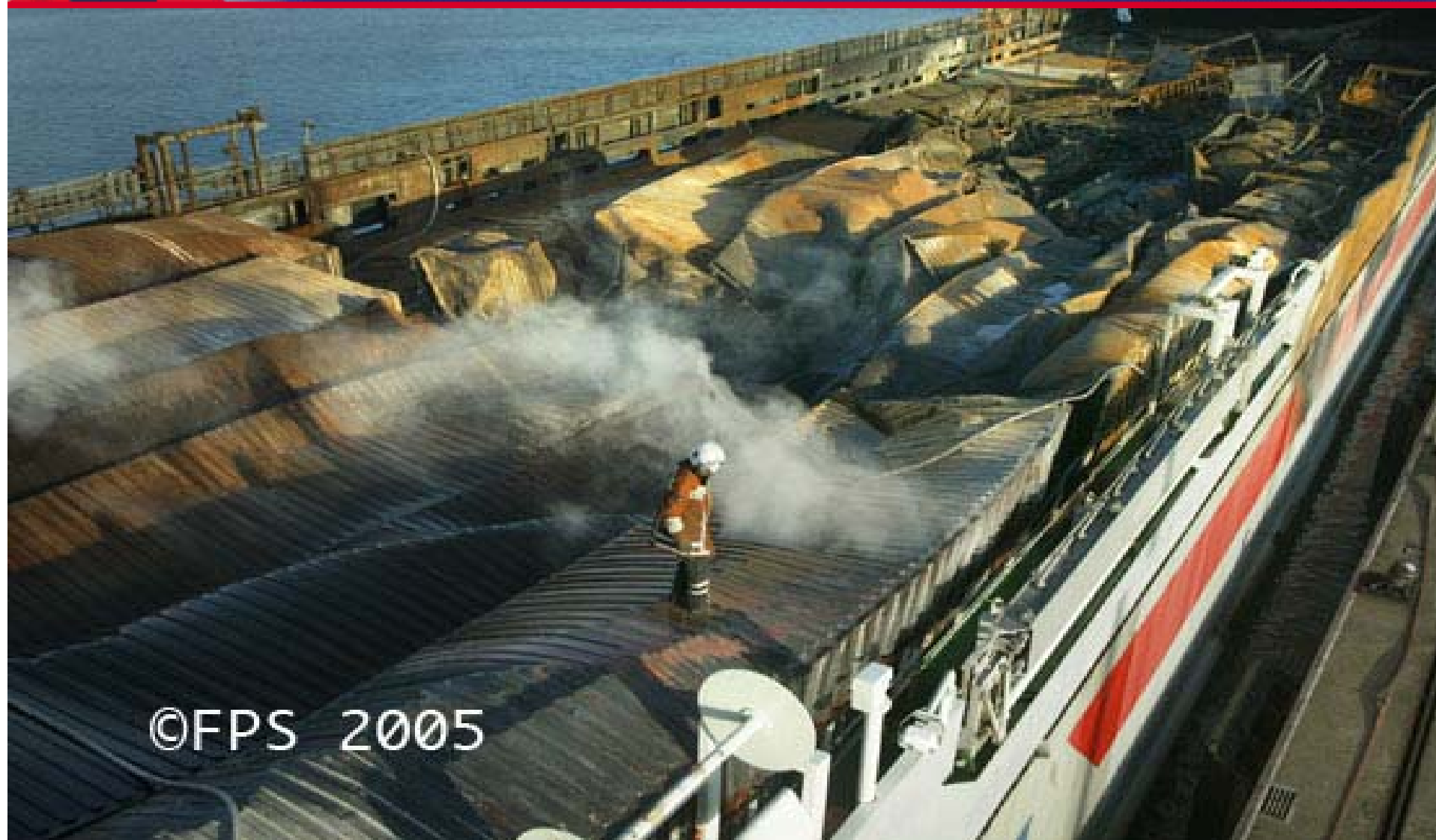




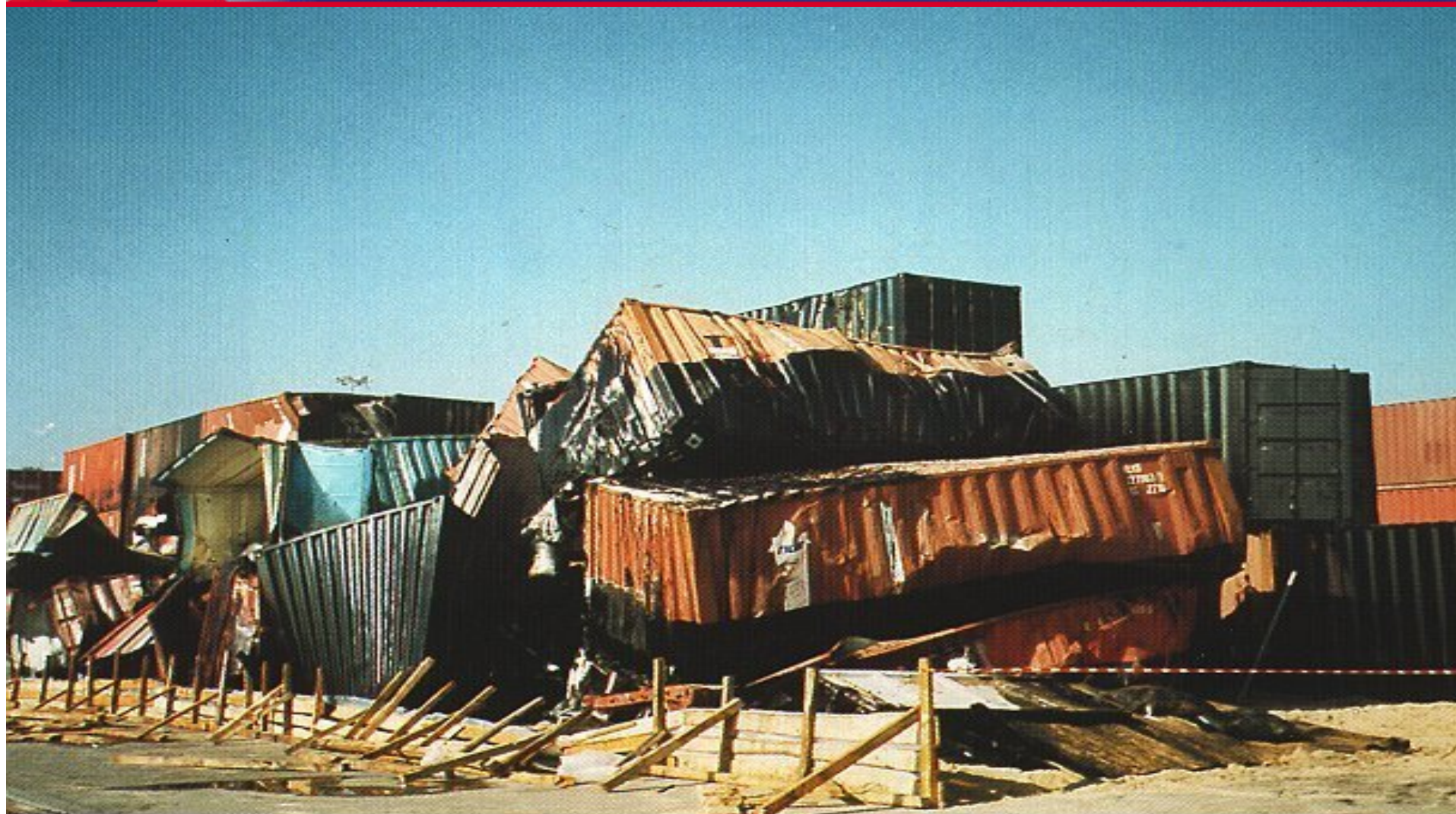
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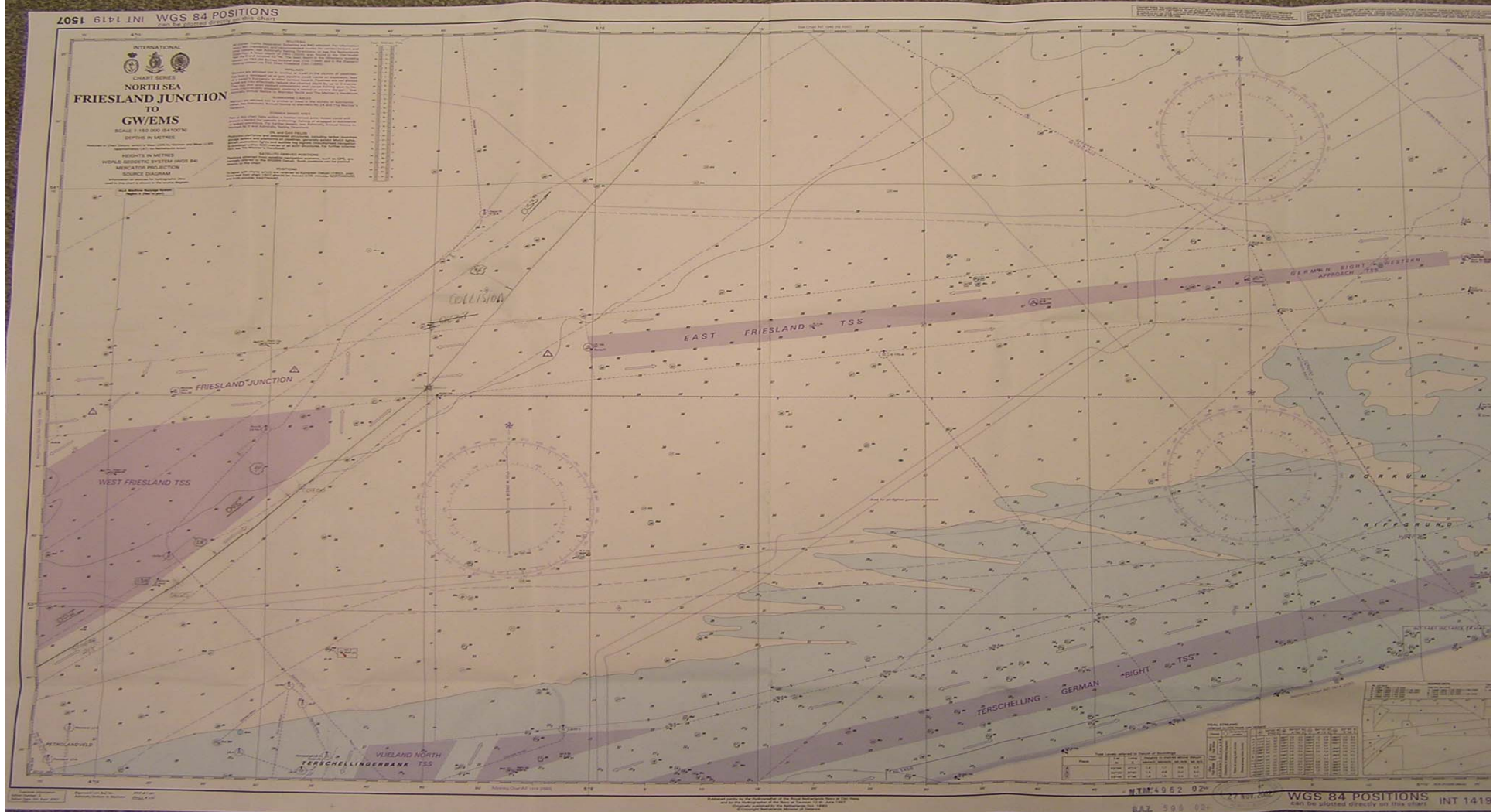


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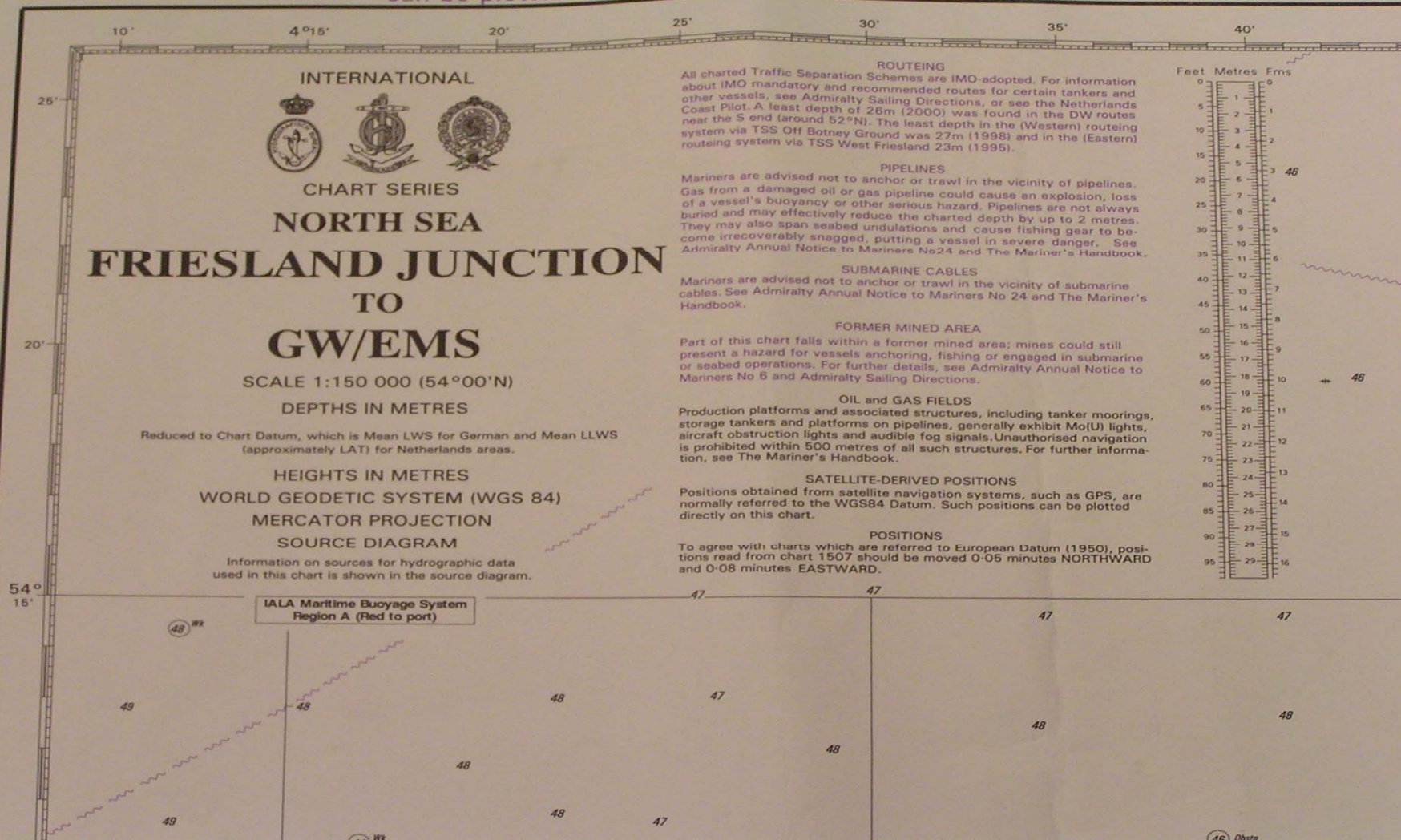


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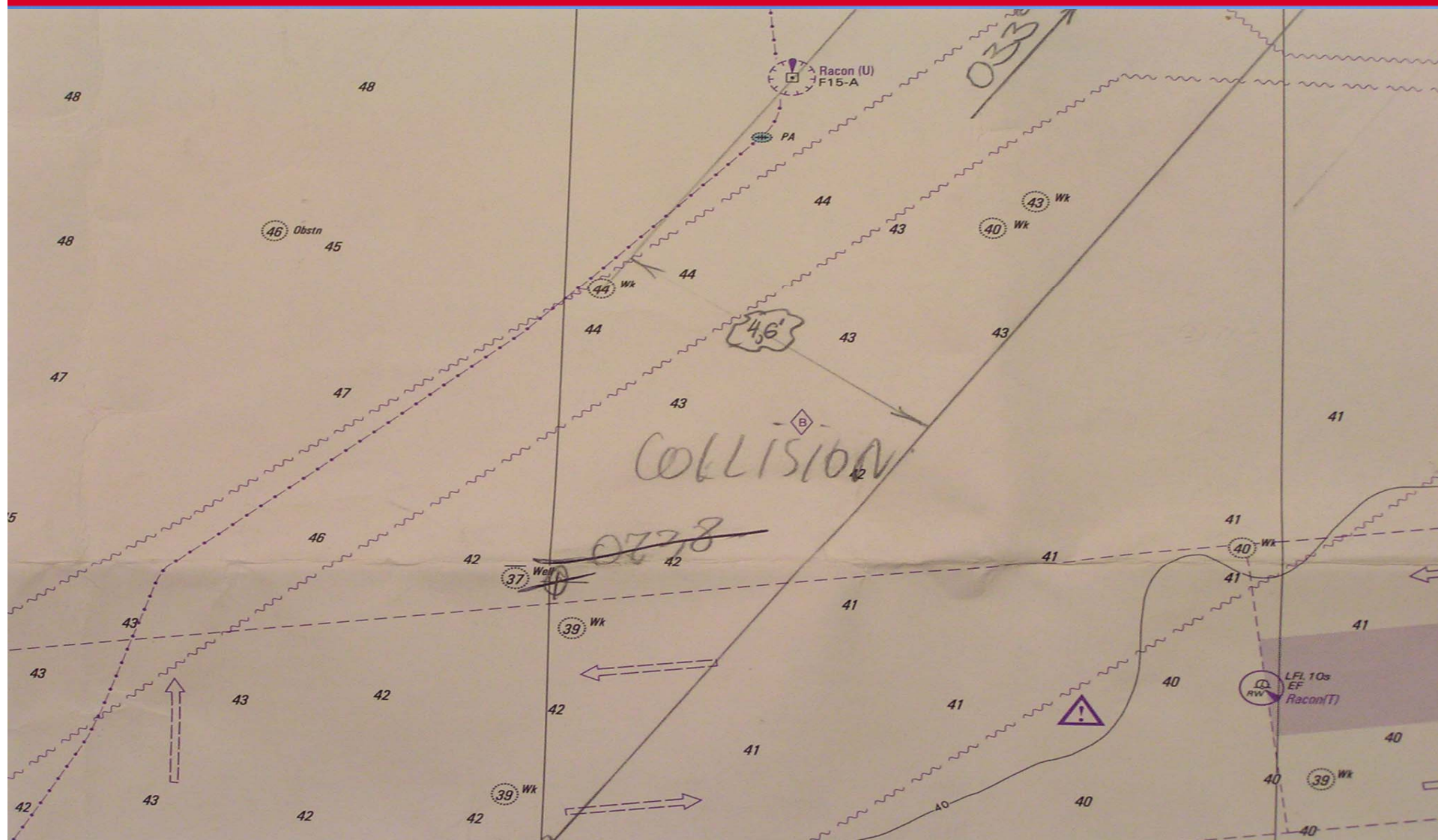
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can be plotted directly on this chart



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Convention on Limitation of Liability for
Maritime Claims 1976,
London, 19th November 1976

Issues at stake:

1. Which persons are entitled to limit their liability in accordance with the rules of this convention
2. Which forum is competent

