

IUMI 2010 ZURICH

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Classification Societies - A level playingfield?

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- The origins of the Classification Societies
- Their constitutions
- Development of functions
- Services to maritime administrations
- IACS

Regulation and self-regulation

- IACS: the Code of Ethics and Model Terms
- ISM
- Port State Control
- European Maritime Safety Agency (EMSA)
- The EU Directives

The 2009 3rd Maritime Safety Package
Reg. (EC) 391/2009: common rules for
ship inspection and survey organisations

The legal backdrop - Third party responsibility



- The contractual position
- Claims in tort
- Responsibility towards Flag Administrations

The EU Directive 2001/105/EC

The legal backdrop - Third party claims

An overview of recent developments internationally

- USA - Spain v ABS - the "Prestige" judgment of August 2010
- UK - the "Nicholas H" and "The Morning Watch"
- France - the "Erika" judgment of August 2010, the "Elodie II" and the "Wellborn"
- Germany
- Norway
- Italy
- Japan

Is there a common theme?

Smooth seas ahead?

- Increased commercialisation of services
- The offshore sector after the Deepwater Horizon
- The CMI solution
- Impact of changes in the limitation of liability conventions
- Potential impact of the Rotterdam Rules
- The US position post the “Prestige” judgment
- The UK position - does the rationale of the “Nicholas H” still stand good?
- Conclusions

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Thankyou for yourattention!

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