

P R O G R A M M E



europaan shippers' council



TradeWinds



OCIMF - MARE FORUM - TOTAL

HNS

The International Convention on Liability
and Compensation For Damage in
Connection with the Carriage of Hazardous
and Noxious Substances by Sea, 1996 (HNS)

**MANAGING
THE RISK**

**TOWARDS A BETTER UNDERSTANDING
OF THE KEY ELEMENTS**

**19 MAY 2004 - HILTON HOTEL
BARCELONA**

WITH THE ACTIVE PARTICIPATION OF:

OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)
TOTAL
EUROPEAN CHEMICAL INDUSTRY COUNCIL (CEPIC)
CEDRE
INTERNATIONAL OIL POLLUTION COMPENSATION FUNDS (IOPC FUNDS)
INTERNATIONAL TANKER OWNERS POLLUTION FEDERATION (ITOPF)
OECD
EUROPEAN SHIPPERS COUNCIL
INTERNATIONAL CHAMBER OF SHIPPING
INTERTANKO
INTERNATIONAL MARITIME ORGANISATION (IMO)
DEPARTMENT FOR TRANSPORT, UNITED KINGDOM
MINISTRY OF ECONOMY, FINANCE AND INDUSTRY, FRANCE
MINISTRY OF JUSTICE, THE NETHERLANDS
DEPARTMENT OF TRANSPORT, CANADA
ROYAL ASSOCIATION OF NETHERLANDS SHIPOWNERS
UNIVERSITY OF SOUTHAMPTON
SCANDINAVIAN INSTITUTE OF MARITIME LAW, UNIVERSITY OF OSLO
HOLMES HARDINGHAM SOLICITORS
AMYA LAW FIRM, SPAIN
HAZARDOUS CARGO BULLETIN
THE MARITIME ADVOCATE
MERLIN CORPORATE COMMUNICATIONS
MARE FORUM



INTRODUCTION

Considerable quantities of many hazardous and noxious substances (HNS) are carried by sea each year. Whilst ship safety has always been a priority, accidents will happen, sometimes with harmful, even fatal, consequences and when that happens they can prove to be very expensive. Several incidents involving ships carrying HNS have occurred in recent years, with many more near misses.

The HNS Convention will allow compensation for actual damage arising from an HNS incident during its carriage by sea. It will also provide compensation for costs due to the incident including response and clean-up costs and economic losses that are directly attributable to the incident. Ratification and implementation of the HNS Convention will significantly improve the likelihood of victims of incidents involving the carriage of HNS by sea receiving prompt and adequate compensation.

The HNS Fund will make compensation payments by raising levies on people in States party to the Convention who import certain quantities of HNS. This workshop will explain what substances are classified as "HNS" and who, under the Convention, will be liable to pay levies. In many cases it is any person in a State party who receives HNS after carriage by sea in quantities exceeding a certain annual threshold. There are exceptions (owners of Liquid Natural Gas cargoes prior to discharge are liable), and the thresholds are different for different substances. Ratification and implementation of the HNS Convention will therefore have a considerable impact on industries involved in the importation of hazardous and noxious substances.

Shipowners of vessels carrying HNS will also be affected. Shipowners of any vessels carrying HNS entering or leaving port of States Party to the Convention will be required to have insurance to cover their limit of liability and will need to demonstrate this by a compulsory insurance certificate. This applies to all vessels, regardless of where they are registered.

The HNS Convention covers not only pollution or property damage but also includes death and personal injury for incidents involving chemicals, LNG, LPG and Oil (where not covered by other conventions e.g. IOPC Fund/CLC).

You therefore need to understand that this DOES affect you and equally important – HOW it affects you.

This one day Workshop aims at dispelling the myth that the HNS Convention is still negotiable or that if we ignore it, it might go away.

The EU States are required to bring the HNS Convention into force by June 2006 (European Council Decision 2002/971/EC of November 18, 2002) and it is anticipated that this will bring the Convention into force worldwide soon thereafter, and you should therefore urgently start thinking about what this means to you NOW.

The issue of contributing product identification is paramount to ensure incidents involving these substances are properly recorded and that compensation is available.

Of equal importance is the need to clarify the definition of Receiver. You should be in no doubt that if you are the Receiver of an HNS product you have a LIABILITY to contribute to the scheme. The total amount including shipowners liability could be as high as 250m SDRs per HNS incident.

Your Governments are about to make HNS law – THERE IS NO ESCAPE

Sitting on the fence is not an option - Burying your head in the sand is not an option - Attending this Workshop is an option but to miss it might be a serious mistake which will only become obvious after 2006

CAN YOU AFFORD TO TAKE THE CHANCE?

WHO SHOULD ATTEND? Consider the following statements:

- I don't know about this Convention
- I don't understand why it affects me
- I don't understand how it affects me
- I don't know what a "receiver" is
- I don't know what contributing products or cargoes are involved
- I don't know what my exposure is
- I don't know what my liability is
- Is it still up for discussion?
- Can it be changed?
- I am not concerned because my persistent oil is already covered by IOPC regime.

If you can relate to any of the above THEN ATTENDANCE IS A MUST

This Workshop is aimed at:

- Carriers and receivers of bulk oil whether persistent or non persistent
- Carriers and receivers of bulk chemicals
- Carriers and receivers of bulk LPG
- Carriers and receivers of bulk LNG
- Carriers and receivers of packaged goods
- Insurers
- Lawyers
- Governments

We are looking forward to welcoming you to Barcelona,

Nathalie SOISSON

Transport Safety Group Coordinator, Total



Jannis KOSTOULAS

Managing Director, Mare Forum



Paul MARKIDES

Director, Oil Companies International Marine Forum



OCIMF · MARE FORUM · TOTAL

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MANAGING THE RISK

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MAY 19 2004 - HILTON HOTEL BARCELONA



EUROPEAN SHIPPERS' COUNCIL



ROYAL ASSOCIATION NEDERLANDS' SHIPOWNERS



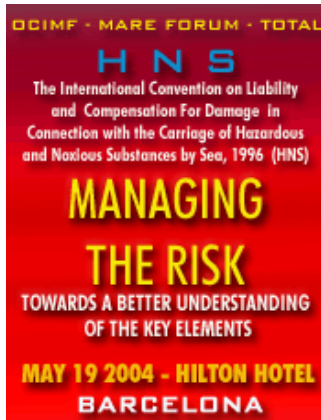
TradeWinds

19 MAY 2004

HILTON HOTEL

BARCELONA

HILTON HOTEL
BARCELONA - SPAIN
19 MAY 2004



08.00 Delegate Registration and coffee

OPENING

Opening by the Conference Chairman

John WREN

Head of Branch, Shipping Policy, Department for Transport, United Kingdom

WELCOME

09.00

Welcome on behalf of the Organisers

Nathalie SOISSON

Transport Safety Group Coordinator, Total

09.05

Paul MARKIDES

Director, Oil Companies International Marine Forum (OCIMF)

SESSION 1

OVERVIEW
OF THE HNS
CONVENTION

SESSION 1

OVERVIEW OF THE HNS CONVENTION

SPEAKERS

09.10

John WREN

Head of Branch, Shipping Policy, Department for Transport, United Kingdom

Understanding the convention

- Principles of the Convention
- Implementation progress
- EU Environmental Directive

09.30

Måns JACOBSSON

Director, International Oil Pollution Compensation Funds (IOPC Funds), United Kingdom

The HNS Convention: the HNS regime in sight

- Preparations for the entry into force of the HNS Convention
- The operations of an international fund in the light of the IOPC Funds' experience
- Interrelationships between various liability and compensation Conventions

09.50

DISCUSSION between Conference Participants, Speakers and Discussion Members

DISCUSSION MEMBERS

Peter SWIFT (DISCUSSION CHAIRMAN)

Managing Director, INTERTANKO

Gaetano LIBRANDO

Senior Legal Officer, International Maritime Organisation (IMO)

José M. ALCANTARA

Lawyer, Senior Partner, Amya Law Firm, Spain

Executive Councillor of the CMI

President of the Spanish Maritime Law Association.

Peter MACKAY

Managing Editor, Hazardous Cargo Bulletin

10.30

Break

SESSION 2

MAIN ISSUES TO CLARIFY

PART 1

SPEAKERS

11:00

Willem OOSTERVEEN

Senior Legal Counsellor, Ministry of Justice, The Netherlands

Definition of receiver

- Clarification of issues around "receiver" (principal, storage, transshipments, feeding...)

11:15

Jerry RYSANEK

Director, International Marine Policy and Liability Department of Transport, Canada

Inter-relationship of the various liability and compensation schemes

11:30

DISCUSSION between Conference Participants, Speakers and Discussion Members

DISCUSSION MEMBERS

Richard SHAW (DISCUSSION CHAIRMAN)

Senior Research Fellow

Institute of Maritime Law, University of Southampton

Frédéric HÉBERT

Head of Office of International Law

Ministère de l'Économie de Finances et de l'Industrie, Direction des Affaires Juridiques, France

Svein RINGBAKKEN

Deputy Managing Director & General Counsel

Intertanko

12:15

Lunch

SESSION 3

MAIN ISSUES TO CLARIFY

PART 2

SPEAKERS

13:45

Erik ROSAEG

Professor, Scandinavian Institute of Maritime Law, University of Oslo

Provision of separate accounts and their interaction

14:00

Danny SCORPECCI

Principal Administrator, Transport Division, OECD

Identification of contributing cargo

- Qualification of contributing cargo e.g. LPG/LNG differences

14:15

Catherine GREY

Head External Relations and Conference Department, IOPC Funds

Identification of contributing cargo

- Demonstration of IOPC Fund contributing cargo calculator and HNS database

14:30

DISCUSSION between Conference Participants, Speakers and Discussion Members

DISCUSSION MEMBERS

John GUY (DISCUSSION CHAIRMAN)

Consulting Editor, The Maritime Advocate

Partner Merlin Corporate Communications

Nicolette van der JAGT

Secretary General, European Shippers' Council

Marcel VERHAGEN

Lawyer, Jumelet Verhagen Advocaten

on behalf of the Royal Association of Netherlands Shipowners

15:15

Break

SESSION 4

INSURANCE AND INCIDENT RESPONSE

SESSION 4 INSURANCE AND INCIDENT RESPONSE

SPEAKERS

15:45

Patrick WEGERDT

Legal Counsellor, CEFIC

Insurance and insurance certificates

- Shipowners and State Parties responsibility on HNS claims issues
- Issuance of certificates

16:00

Michel GIRIN

Director of CEDRE

Overview of the major HNS incidents in European and Mediterranean waters over the last two decades. Who did what ? Who paid for it?

16:15

Dr. Karen PURNELL

Technical Team Manager, ITOPF

Incident Response

- Ratification of OPRC-HNS
- Anti pollution preparedness

16:30

DISCUSSION between Conference Participants, Speakers and Discussion Members

Chris HORROCKS (DISCUSSION CHAIRMAN)

Secretary General, International Chamber of Shipping

Nick WALSER

Partner, Holmes Hardingham (Maritime & Commercial Solicitors)

Eric CALONNE

Technical Officer, MARINE ENVIRONMENT DIVISION

Sub-Division for Pollution Response and Technical Co-operation Co-ordination

International Maritime Organisation (United Nations)

17:15

CONCLUSIONS by the conference chairman

John WREN

Head of Branch, Shipping Policy, Department for Transport, United Kingdom

17:30

DRINKS

19:00

DINNER

DISCUSSION MEMBERS

More current information concerning the conference can be found on our website at

<http://www.mareforum.com>

GENERAL INFORMATION

DATE & LOCATION

19 MAY 2004
Hilton Hotel
Avda Diagonal 589-591
Barcelona - SPAIN
Tel: +34-93-4957777

REGISTRATION

All participants who wish to attend the conference must be registered. Please note that formal registration and confirmation thereof only takes place after the registration fee has been received and recorded on our accounts. Participants are requested to return one registration form per participant to MARE FORUM by fax, or by mail, at the fax number or address listed below. Please keep a copy of the form, and your payment, for your records.

CONFIRMATION

A formal letter of confirmation will be sent to you after receipt of your registration form and payment. Please present this confirmation at the registration desk at the conference venue as proof of your registration. Please note that your registration is a Person - Restricted Pass, which means that only the registered participant will be admitted for any of the activities of the conference. A Person Restricted Pass for conference participation may not be shared by more than one person.

Should you be unable to attend the conference, a substitute participant is always welcome at no extra charge if he / she carries a letter of authorisation from the original participant and if the conference office has been notified of the name of the substitute participant before conference date.

REGISTRATION FEES

Person-restricted Pass:(EURO 600 + 19% vat) = **EURO 714**

The conference fee includes :conference attendance and documentation, refreshments, luncheon drinks and dinner during scheduled breaks in the conference programme.

PAYMENT PROCEDURE

Payment for hotel accommodations must be made directly to the hotel in EURO as noted on the Hotel Registration Form.

Payment for participation in the conference must be made in EURO and must be free of bank and other charges.

Payment can be made by bank to by bank transfer to bank account nr. **065.21.54.646**/ ING Bank, Rotterdam, The Netherlands

Swift Code: INGBNL2A The account belongs to MARE FORUM B.V. Please make sure that your FULL NAME and the reference code 'HNS' accompany your payment.

If your payment has not been received before the conference and no proof of bank transfer can be provided, on-site payment will be requested.

CANCELLATIONS

Should you be unable to attend the conference, a substitute participant is always welcome at no extra charge if he/she carries a letter of authorisation from the original participant and if the conference office has been notified of the name of the substitute participant before the conference.

Refunds will be dealt with after the conference. Mare Forum reserves the right to charge a handling fee of EURO 100,- for cancellations made before APRIL 30, 2004. If cancellation is made after APRIL 30, 2004, no refunds will be made, and full **payment is required.**

INSURANCE

The conference organisation cannot accept any liability for personal injuries or for the loss of and/or damage to personal belongings of the participants, either during or as a result of the conference. Please check the validity of your personal insurance.

INFORMATION

For further information on the conference please contact:

MARE FORUM
Beurs-World Trade Center
P.O. Box 30027
3001 DA Rotterdam - The Netherlands
Tel: +31.10.281 0655 Fax: +31.10.270 98 70
e-mail: info@mareforum.com
www.mareforum.com

To register for the conference, please complete this form in PRINTED CAPITALS and return it to Mare Forum by fax: +31 10 270 98 70

HNS - MANAGING THE RISK
19 May 2004 - BARCELONA - SPAIN

Registration deadline is set for May 15, 2004.

CONFERENCE REGISTRATION FORM

Only one delegate should register with this form. Extra copies can be obtained from the conference office, or copies of this form may be used

For further questions contact Mare Forum on
T: + 31 10 281 06 55
E: info@mareforum.com

Delegates name (Mr./Ms./Mrs.) Circle one

Last Name			First Name		
Company			Job Title		
Mailing Address					
Postal Code		City		Country	
Telephone			Fax		
E-mail					

• **Conference Fee for Person-restricted Pass:EURO (600 + 19% VAT) = EURO 714**
(The conference fee includes attendance and documentation, refreshments, luncheon during scheduled breaks in the conference program.)

• **Payment Method** (please check method, and provide necessary information)

Bank Wire Transfer: The total amount due for participation in Mare Forum 2004 conference has been transferred by bank wire transfer accompanied by your full name and the reference code HNS 2004 to:

**ING Bank, IBAN: IBAN NL 67 INGB 065.21.54.646, BIC: INGBNL2A
Accountholder: Mare Forum B.V., Rotterdam, The Netherlands**

Credit Card (check which credit card)

American Express

Master Card

Visa

**Note: all payments must be made in EURO'S and free of all bank or other charges.*

Cardnumber: _____

Expiration Date: _____

Cardholder's name: _____

Cardholder's address: _____

Date: _____

Signature: _____

CONDITIONS

All participants who wish to attend the conference must be registered. Participants are requested to return one registration form per participant to MARE FORUM by fax, or by mail, at the fax number or postal address listed below.

Please note that a letter of confirmation will be sent to you only after the registration fee has been received and recorded on our accounts. Please present this confirmation at the registration desk at the conference venue as proof of your registration.

Please note that your registration is a Person - Restricted Pass, which means that only the registered participant will be admitted for any of the activities of the conference. A Person Restricted Pass for conference participation may not be shared by more than one person.

CANCELLATIONS SUBSTITUTIONS & REFUNDS

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INSURANCE

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I agree with Mare Forum's conditions,

Date: _____

Signature: _____



Hilton
Barcelona

RESERVATION FORM

HNS CONFERENCE

TOTAL - MARE FORUM – OCIMF

Barcelona, 19 May 2004

Please fill out this form and send it to :

<p>HILTON BARCELONA HOTEL Avenida Diagonal, 589-591 - 08014 Barcelona, Spain Telephone: (34) 93 495 7777 - Facsimile: (34) 93 495 77 00 For reservations: Telephone: (34) 93 495 77 66 – Facsimile: (34) 93 495 7767 E-mail: events.barcelona@hilton.com</p>

Please write in CAPITAL letters.

FIRST NAME _____ LAST NAME _____

TEL _____ FAX _____

ARRIVAL DATE _____ DEPARTURE DATE _____

Room Categories

- | | | | |
|---|--------------------|---|--------------------|
| <input type="checkbox"/> Single Standard Room | 200.00 Euro /night | <input type="checkbox"/> Double Standard Room | 230.00 Euro /night |
| Buffet breakfast | 20.00 Euro /person | Buffet breakfast | 20.00 Euro /person |

Use our **Executive Floor** for only an additional **75.00 Euro** per room, including continental breakfast. The Clubroom is available to all Executive Floor guests. Staffed by a dedicated manager, the Clubroom is a special place to relax. Refreshment service and alcoholic drinks are available throughout the day for free, as well as a selection of newspapers and magazines. You will also receive private check-in and check-out service when staying on the Executive Floor.

- | | | | |
|--|--------------------|--|--------------------|
| <input type="checkbox"/> Single Executive Room | 275.00 Euro /night | <input type="checkbox"/> Double Executive Room | 305.00 Euro /night |
|--|--------------------|--|--------------------|

7% VAT not included

Special Requirements:

I accept the the cancellation policy below:

* If the reservation is cancelled within 14 days before the arrival, all nights reserved will be charged against credit card indicated below.

Bookings without credit card will not be accepted.

My credit card details

Visa Dinners MasterCard American Express

Credit Card Number _____

Expiration Date _____ **Signature** _____

Booking Form Reservations will only be accepted until next Monday, 19th April 2004. After this date all reservations will be subject to space and rates available at time of booking.

HOTEL CONFIRMATION