

To: Transport Industry Operators

8 September 2011

Seminar

Forwarders' Standard Trading Conditions

What are the Standard Trading Conditions ("STC") for forwarders? Why are the STC so important to forwarders? How can forwarders incorporate the STC into their contracts with customers? The importance of the STC to forwarders can be seen in the two recent Judgments of the English Courts: *Frans Maas v Samsung* [2004 EWHC 1502 Comm] and *Rohlig v Rock Unique* [2011 All ER (D) 128]. The English High Court in the former held that the forwarder could rely on its STC to limit liability to £25,000 in a case of cargo theft of mobile phones worth £2,250,000. The English Court of Appeal in the latter held two clauses in the forwarder's STC valid: the 9-month time bar & no set-off against freight charges by claims. As part of our risk management services to the transport industry, we together with the Hong Kong Shippers' Council hold a seminar to cover all the aforesaid issues. The details are as follows:

1. Date : Wednesday, 9 November 2011 (2:15pm – 4:30pm)
2. Venue : YMCA of Hong Kong – Assembly Hall, 4/F North Tower
41 Salisbury Road, Tsimshatsui, Kowloon, Hong Kong
3. Speaker : Mr Richard Chan
4. Language : Cantonese
5. Fee : HK\$250 per person
6. Outline : What are STC
 - ≠ HB/L, HAWB
 - customer's warranties
 - Himalaya clause
 - valuable cargoes
 - freight charges without set-off
 - liability limitation of US\$3/kg
 - claim notice time bar
 - applying to all business
 - customer's indemnity
 - General Average
 - uncollected cargoes
 - freight collect
 - liability exemption
 - 9-month legal action time bar
 - HB/L, HAWB paramount
 - circular indemnity
 - Dangerous Goods
 - general & particular lien
 - liberty to carry
 - frustration
 - law & jurisdiction
 - : Why STC so important
 - it's a shield
 - Rohlig case
 - it's a spear
 - no STC = unarmed, no offence & no defence
 - Frans Maas case
 - : How to incorporate STC
 - sign & stamp & attach
 - quotation, shipping order, shipper's instruction form
 - STC reference wording
 - a course of previous dealings

Please fill in the attached enrolment form and send it to Sun Mobility Insurance and Claims Services Limited or the Hong Kong Shippers' Council with your cheque for payment of the attendance fee.

Yours faithfully

For and on behalf of

SUN MOBILITY INSURANCE AND CLAIMS SERVICES LIMITED



Richard Chan
Director

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Simon Chan
Director

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ENROLMENT FORM

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Forwarders' Standard Trading Conditions

2:15pm – 4:30pm, Wednesday, 9 November 2011

at

**YMCA of Hong Kong – Assembly Hall
4/F North Tower, 41 Salisbury Road, TST, Kowloon, Hong Kong.**

Please send this form together with your cheque to Miss Tammy Lui of Sun Mobility Insurance and Claims Services Limited (10/F., United Centre, Admiralty, Hong Kong) *or* Miss Katty Leung of the Hong Kong Shippers' Council (2407 Hopewell Centre, 183 Queen's Road East, Hong Kong). Places are limited and early application is encouraged. Sun Mobility Insurance and Claims Services Limited or the Hong Kong Shippers' Council will send you a fax or e-mail to confirm your place. The cheque for HK\$250 should be made payable to "Sun Mobility Insurance and Claims Services Limited" or "The Hong Kong Shippers' Council".

Name : (Mr/Ms/Mrs) _____

Company: _____

Position : _____

Address: _____

Phone no : _____ Fax no : _____

E-mail address : _____

Signature : _____

Name : _____

Date : _____