

# IMLI<sup>e</sup>-News

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## RENOWNED MARITIME ARBITRATOR AND COMMERCIAL DISPUTES MEDIATOR LECTURES AT IMLI

IMLI had the pleasure of welcoming Mr. David Martin-Clark who visited the Institute to deliver a set of lectures on Shipping Law to the students of the IMLI Class of 2015-2016 on Friday, 5 February, 2016. During his visit, Mr. Martin-Clark delivered two lectures titled “The UNCITRAL Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (The “Rotterdam Rules”)” and “The Rotterdam Rules and Electronic Commerce - a step further forward”.



*Mr. David Martin-Clark delivering his lecture to IMLI Class of 2015-2016*

In his first lecture, Mr. Martin-Clark provided a comprehensive overview on the “Rotterdam Rules” 2009 and explained its scope of application, the period of carrier’s responsibility, the nature and extent of the carrier’s responsibilities, the nature of the performing party, and the shipper’s responsibilities. He concluded the first lecture by asking the students whether they would recommend their individual governments to ratify the “Rotterdam Rules” and thereby renounce adherence to the previous Bill of Lading Conventions, namely the “Hague Rules” 1924, “Hague-Visby Rules” 1968 or “Hamburg Rules” 1978.

In discussing the Rotterdam Rules and electronic commerce, Mr. Martin-Clark gave a brief history of the origin of electronic commerce dating back to 1991 with the advent of the CMI Rules for Electronic Document Interchange (EDI). He also addressed the UNCITRAL Model Law on Electronic Commerce 1996/8, the UNCITRAL Model Law on Electronic Signatures 2001 and the United Nations Convention on the Use of Electronic Communications in International Contracts 2005. He then focused on the provisions of the Rotterdam Rules with regard to electronic commerce and explained the use in practice of the electronic bill of lading.

Mr. Martin-Clark was Chief Executive and Chairman of the Thomas Miller group and founding Chairman of Thomas Miller (Asia Pacific) in Hong Kong. Upon leaving Millers, he became an Associate Member of Stone Chambers in Gray’s Inn London.

Mr. Martin-Clark, currently practises as a Maritime Arbitrator and Commercial Disputes Mediator in London, Hamburg, Singapore and Hong Kong. Given his previous long experience in the marine mutual insurance industry, he also acts as a shipping and insurance consultant.

He is editor of the legal case notes website “DMC’s Case Notes” and lectures at post-graduate level in universities in the UK and overseas.

The students were indeed appreciative of his practical and enlightening lectures.

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