

MARITIME ARBITRATOR AND COMMERCIAL DISPUTES MEDIATOR LECTURES AT IMLI

Mr. David Martin-Clark (International Maritime Arbitrator and Commercial Disputes Mediator) visited the IMO International Maritime Law Institute and delivered a set of lectures on ‘The Rotterdam Rules’ and ‘Electronic Commerce and the Shipping Industry’ to the IMLI Class of 2018 – 2019.



Mr. David Martin-Clark (Maritime Arbitrator and Commercial Disputes Mediator) with the IMLI Class of 2018– 2019

Mr. Martin-Clark began his lectures on the Rotterdam Rules by explaining that the existence of the Rules resulted from the increasing dissonance in national laws relating to the carriage of goods by sea. He stated that some States adopted the original Hague Rules while others adopted the Hague-Visby Rules or the Hamburg Rules. He recounted on the involvement of the Comité Maritime International (CMI) in the adoption of the Rotterdam Rules to fill the gap in the existing regimes on the carriage of goods.



Mr. David Martin-Clark delivering his lecture

Some of the salient features of the Rotterdam Rules discussed in the lecture included the scope of application (including waybills), the period of the carrier's responsibility (from a place of receipt to a place of delivery) and the nature and extent of carrier's responsibility.

Mr. Martin-Clark's lecture on the 'Electronic Commerce and the Shipping Industry', analysed the 1996 UNCITRAL Model Law on Electronic Commerce which applies to any information in digital form used in the context of commercial activities. He also updated the students on the latest developments in the field of electronic bills of lading.

Mr. Martin-Clark currently practices as a Maritime Arbitrator and Commercial Disputes Mediator in London, Hamburg, Singapore and Hong Kong. He also works as a shipping & insurance consultant. Previously, he was engaged, for some thirty years, in the marine insurance business (principally liability insurance) in the London firm of Thomas Miller & Co, managers of mutual insurance companies ('Clubs') for the shipping and transport industry – such as the UK P&I Club and the TT Club - and certain of the UK professions.

He became Chief Executive and Chairman of the group and founding Chairman of Thomas Miller (Asia Pacific) in Hong Kong, where he worked for some years. On leaving Millers, he became an associate member of Stone Chambers, a set of Barristers Chambers in Gray's Inn.

Mr. Martin-Clark is editor of the legal case notes website DMC's Case Notes @www.onlinedmc.co.uk and lectures at post-graduate level in universities in the UK and overseas. He has been a visiting fellow to the Institute for close to 30 years.

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