

  
**SHIPPING**  
 &  
**TRANSPORT**  
**INTERNATIONAL**<sup>®</sup>  
 GUTHRUM HOUSE



Ben Browne - Salvage Law Developments 2011  
 David Glass - Exportadora and the Reefer Trade  
 Norman Martínez Gutiérrez & Mitja Grbec - 1999 Arrest Convention  
 UK Port Developments  
 Dave Anderson - Ventilation & Dunnage  
 Technical Special  
 Interview with Sergei Lebedev, Maritime Arbitration Commission (Russia)



V O L U M E 8 N U M B E R 4

**Managing Editor**  
Roger White LL.M. (Solicitor)

**Publishing Director**  
Kathryn Grandon

**Research**  
Michael McQuilkin

**Subscription/Advertising Manager**  
Kathryn Grandon

**Concept Design**  
Tony Pryce

Published by Guthrum House Limited  
Registered Office: Abacus House, 33 Gutter Lane,  
London EC2V 8AR

Printed and bound in Great Britain by Impress Print  
Pike Road,  
Corby, NN18 9QA

Shipping & Transport International was formerly titled  
Shipping & Transport Lawyer International.

**Advisory Panel**

John Balfour

Beaumont & Son

Simon Baugben

Bristol University

Ray Burke

Burke & Parsons (New York)

Captain Graham Botterill

Feriby Marine

Professor Charles Debattista

Inst. of Maritime Law, Univ. of Southampton

Dr Sarah C Derrington

University of Queensland

Rob Fisher

Chaffe, McCall (New Orleans)

David Glass

Cardiff University

Professor Rolf Herber

Ahlers & Vogel (Germany)

Robert Haugh

Formerly Tindall Riley (Britannia) Limited

Måns Jacobsson

Former Director IOPC Funds

Alex Sinclair

Marine Consultant

Ray Luukas

Brookes Bell

**Contributions**

We welcome contributions to *Shipping & Transport International*. All material should be submitted to:

The Editor, Guthrum House Limited, Guthrum House,  
145 Angel Street, Hadleigh, Suffolk IP7 5BY, UK.

**Subscriptions and Orders**

Shipping & Transport International is published four times  
per subscription year.

Annual Subscription (including postage) UK: £259 per  
volume. Overseas: £289 (US\$445) per volume.  
20% discount for new subscribers purchasing all eight  
volumes at the same time. Visa and Mastercard  
accepted. Cheques payable to Guthrum House Ltd.

**Subscription Department:**

Guthrum House Limited, Guthrum House,  
145 Angel Street, Hadleigh, Suffolk IP7 5BY, UK.  
Tel: +44 (0)1473 822061. Fax: +44 (0)1473 822839.  
www.STL-Mag.co.uk

ISSN 1751-9896

The opinions expressed in this magazine are not necessarily  
those of "Shipping & Transport International" or the Advisory  
Panel; the magazine accepts no responsibility for those  
views so expressed. While every effort is made to ensure the  
accuracy of the information contained in this magazine, the  
magazine and the publishers do not guarantee the accuracy of  
the information contained in this publication nor does they accept  
responsibility for errors or omissions or their consequences. The  
magazine is not designed to provide legal advice on specific issues  
or problems and professional legal advice should be sought.

**Law is as stated at 30 September 2011.**

**The issue should be cited as 8(4) S.&T.I. (2011)**

© Guthrum House Limited 2011. Registered  
Office: Abacus House, 33 Gutter Lane,  
London EC2V 8AR. All rights reserved. UK statutory material in this  
publication is acknowledged as Crown copyright. No part of this  
publication may be reproduced or transmitted in any form or by any  
means, or stored in any retrieval system of any nature without prior  
written permission, except for permitted fair dealing under the  
Copyright, Designs and Patents Act 1988, or in accordance with  
the terms of a licence issued by the Copyright Licensing Agency  
in respect of photocopying and/or reprographic reproduction.  
Application for permission for other use of copyright material  
including permission to reproduce extracts in other published  
works shall be made to the publishers. Full acknowledgement of  
author, publisher and source must be given.

**UK PORT DEVELOPMENTS .....4**  
*We speak to Richard Bird (UK Major Ports Group) and others on current developments.*

**RECENT DEMURRAGE CASES.....8**  
*Ed Mills-Webb (Clyde&Co) looks at The Eagle Valencia, National Shipping Company of Saudi Arabia v. BP Oil Supply Company; X v. Y, Carboex v. Louis Dreyfus; Suek AG v. Glencore International.*

**TRENDS AND DEVELOPMENTS IN SALVAGE LAW AND PRACTICE.....12**  
*Ben Browne (Thomas Cooper and Chairman of ASG) examines developments in this area including LOF Statistics, the new LOF 2011 and LSSA Clauses including topics such as the publication of awards, undertakings for arbitrators' fees and containership cases; Fixed Cost Arbitration Procedure and SCOPIC.*

**SOUR GRAPES IN THE REEFER TRADE? - THE EXPORTADORA CASE.....19**  
*David Glass (Cardiff University) examines this case on the burden of proof in reefer container carriage in which Maersk's trading conditions were considered.*

**THE 1999 ARREST CONVENTION ENTERS INTO FORCE .....22**  
*Norman Martinez Gutierrez (IMO Malta) and Mitja Grbec (President of the Slovenian Maritime Law Society) examine the impact of the entry into force of this Convention.*

**PIRACY AND THE USE OF SECURITY GUARDS .....27**  
*Andrew Preston and Nick Purnell (Clyde & Co) on the difficult legal and practical issues that have arisen.*

**TECHNICAL SPECIAL**

**VENTILATION & DUNNAGE.....28**  
*Dave Anderson (Brookes Bell) examines some of the problems associated with cargo ventilation to prevent ship's sweat, as well as considering dunnaging.*

**MANAGING THE RISK OF MARINE COATINGS.....34**  
*Dr Raouf Kattan and Dr Lynda Speed (Safinah Ltd) look at anti-corrosion coatings and their associated risks in relation to ballast tanks for newbuilding vessels.*

**SHIP, PILOT, PORT - THE THREE-WAY PARTNERSHIP.....38**  
*Captain Keith Badsey (C.F. Spencer & Co Ltd) examines these important relationships.*

**BRIEF CALLS**

**UPDATE ON NEWS AND DEVELOPMENTS.....42**

**PERSONALITY**

**MOSCOW MOVER.....43**  
*An interview with Sergei Lebedev (Institute of International Relations, Maritime Arbitration Commission, Russian Chamber of Commerce & Industry, Moscow).*

*Photo (front cover) courtesy of SCF Group (Sovcomflot) - Tanker Vladimir Tikhonov on Northern Sea Route transit.*