

FIFTH ANNUAL INTERNATIONAL CONFERENCE
"PRACTICE OF MARITIME BUSINESS: SHARING EXPERIENCE"

BILL OF LADING IN PROGRESS

Odessa, 28-29 May 2009

**LET'S SUE THE CARRIER
BUT
WHO IS THE CARRIER
UNDER AN OCEAN B/L ??**

José M. Alcántara, AMYA ABOGADOS

THE CARRIER CAN BE:

- THE VESSEL'S REGISTERED OWNER
- THE REGISTERED BAREBOAT CHARTERER
- THE BAREBOAT CHARTERER
- THE SUBCHARTERERS
- THE DISPONENT OWNER (OPERATOR)
- THE AGENT FOR CO-OWNERS
- THE TIME CHARTERER
- THE TRANSHIPMENT VESSEL OWNER
- THE MORTGAGEE IN POSSESSION
- THE TUG'S OWNERS
- THE FREIGHT FORWARDER
- THE MASTER
- THE SHIPAGENTS
- THE STEVEDORING COMPANY
- THE TERMINAL OPERATOR

THE CARRIER CANNOT BE:

- THE CUSTOM HOUSE
- THE CARGO CONSOLIDATOR
- THE VESSEL'S P&I INSURERS
- THE CONTAINER HIRER
- THE PILOT ON BOARD
- THE VESSEL'S CLASS SOCIETY
- THE SHIP'S MANAGER
- THE VOYAGE CHARTERER
- THE VESSEL'S FINANCIERS



OWNERS' B/L FORM

TITLE UNDER THE
ROTTERDAM RULES

LINER TRADE

TITLE UNDER
HAMBURG RULES

MASTER'S
EMPLOYMENT

TITLE UNDER
HAGUE/VISBY RULES

VESSEL'S SEAL

APPOINTMENT OF
PORT AGENTS

IDENTITY OF
CARRIER CLAUSE

USING
THE
KEY

```
graph TD;
    A[USING THE KEY] --> B[OWNERS' B/L FORM];
    A --> C[TITLE UNDER THE ROTTERDAM RULES];
    A --> D[LINER TRADE];
    A --> E[TITLE UNDER HAMBURG RULES];
    A --> F[MASTER'S EMPLOYMENT];
    A --> G[TITLE UNDER HAGUE/VISBY RULES];
    A --> H[VESSEL'S SEAL];
    A --> I[APPOINTMENT OF PORT AGENTS];
    A --> J[IDENTITY OF CARRIER CLAUSE];
```

ARREST THE
CARRYING VESSEL

WRITE TO BIMCO

FIND THE
"BENEFICIAL OWNER"

WHAT TO
DO THEN?

SEARCH THROUGH
THE P&I CLUB

LEAVE IT TO
YOUR INSURER

SUE THE PORT
AGENTS

SUE ALL IN
SIMILAR GUIZA