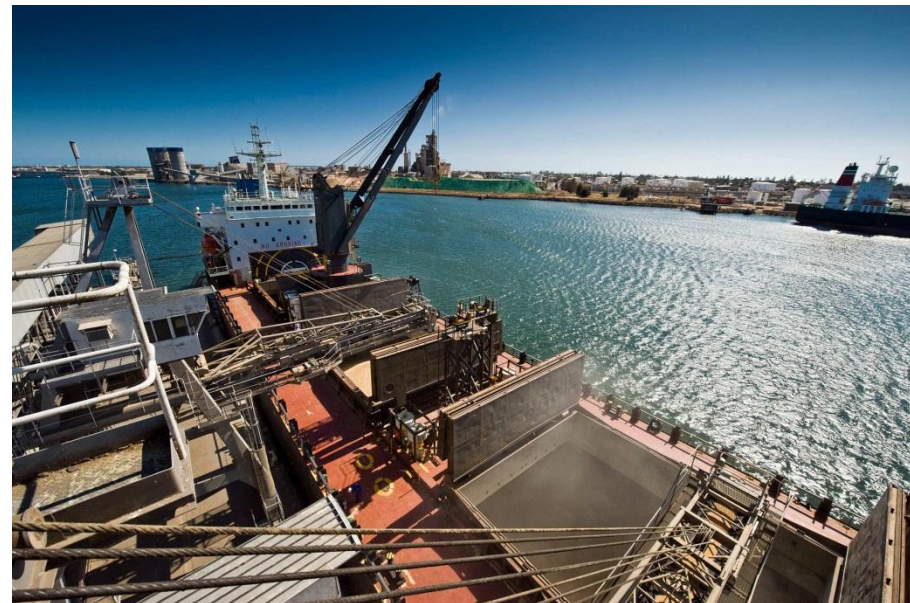


Geoff Farnsworth
Principal, M+K Lawyers
Director, Grain Trade Australia

**Presentation to Institute of Chartered
Shipbrokers, 29 October 2013
- The AusGrain 2013 Voyage Charter**

Session Overview

- Introduction and Caution
- Why AusGrain?
- The Review Process
- Features of AusGrain



Introduction and Caution

- AusGrain 2013 as successor to AUSTWHEAT 1990
- A starting point for negotiation, not the end result
- Balance and clarity the main objectives
- The document now stands alone

Why AusGrain?

- GTA has assumed certain industry-good functions formerly performed by AWB
- Review appropriate post-deregulation
- Proliferation of unauthorised AUSTWHEAT forms

The Review Process

- Committee Constituted by GTA
- Terms of reference (need for review unanimous)
- No wholesale changes to AUSTWHEAT

The Review Process

- Review and consideration of AUSTWHEAT and other current forms
- Drafts and consultation
- Member updates
- On-going feedback

Characteristics of AusGrain

- Box Form
- Inspection and Surveys
- NOR
- Berth Charter
- BIMCO Clauses
- Local arbitration for local disputes

What's new?

- Inspection and Survey
 - Facilitate inspection at anchorage
 - Authorised Officers
 - Charterer to appoint surveyor (at Owners' expense)
- NOR
 - Nullity if vessel fails inspection

Questions?

Geoff Farnsworth, Principal
Macpherson + Kelley Lawyers
Ph: (02) 8298 9580
Geoff.farnsworth@mk.com.au



CONTACT

VICTORIA

Dandenong

40-42 Scott St
Dandenong VIC 3175
Tel: +61 3 9794 2600

Melbourne

Level 22, 114 William St
Melbourne VIC 3000
Tel: +61 3 8615 9900

NEW SOUTH WALES

Sydney

Level 21, 20 Bond St
Sydney NSW 2000
Tel: +61 2 8298 9533

TASMANIA

Hobart

Dobson Mitchell & Allport Lawyers
59 Harrington St
Hobart TAS 7000
Tel: +61 3 6210 0000

QUEENSLAND

Brisbane

Level 14, 324 Queen Street
Brisbane QLD 4001
Tel: +61 7 3235 0400

info@mk.com.au

M+K SERVICES

Commercial
Commercial Litigation
Property
Workplace Relations
Private Clients

mk.com.au