

- Litigation & Arbitration
- Shipping & Maritime
- Commodities & Int. Trade
- Road, Rail & Air Transport
- Insurance & Reinsurance
- Banking & Finance
- Civil Fraud
- Employment
- Company & Insolvency
- Competition

David Martin-Clark

Associate Member

Call: 1961

BA (Hons) Jurisprudence (First Class) - Magdalen College, Oxford
 Full Member of the LMAA

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After a career in the marine insurance industry, David Martin-Clark became an Associate Member of Chambers in 2006 and has developed his practice as a maritime arbitrator and commercial disputes mediator. Outside Chambers, he continues to be active as a shipping and insurance consultant.

David Martin-Clark spent the greater part of his commercial career at the firm of Thomas Miller in the City of London. Thomas Miller are one of the leading providers of management services to mutual insurance associations and captive insurance companies, spanning both the shipping and transport industries and the English professions, such as barristers and patent agents. Their most prominent businesses are the management of the United Kingdom P&I Club, the UK Defence Club, the TT (Through Transport) Club and the Bar Mutual Indemnity Fund.

From his time in Millers, David gained wide experience in the shipping and transport and related insurance industries. He served as Chief Executive and then Chairman of the Miller group and was a Director of its regional subsidiaries in the United States, Australia, Hong Kong and Singapore. He was resident in Hong Kong for some years and founded there the Miller group holding company for Asia Pacific.

Fields of Practice:

Arbitration

David is an experienced arbitrator. He is a Chartered Arbitrator and a Fellow of the Chartered Institute of Arbitrators. He arbitrates in London, as a full member of the London Maritime Arbitrators Association, and at the London Court of International Arbitration; in Hamburg, as a member of the German Maritime Arbitrators Association; in Singapore, as a panelist of the Singapore International Arbitration Centre and the Singapore Chamber of Maritime Arbitration; in Hong Kong, as a member of the International Panel of Arbitrators of the Hong Kong International Arbitration Centre, in Shanghai, as a panelist of the China Maritime Arbitration Commission and in Malaysia, as a panelist of the Kuala Lumpur Regional Centre for Arbitration. He has also acted as Chairman and member of various International Chamber of Commerce arbitration tribunals.

Mediation

David also works as a mediator, specialising in commercial disputes. These have ranged from shipping and freight forwarding to construction and partnership disputes. He is accredited by CEDR (Centre for Effective Dispute Resolution, UK).



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Particular Areas of Expertise:

Carriage of Goods

- Cargo Liability Claims
- Bulk cargoes, wet and dry
- General cargo, container and breakbulk
- Liability Regimes
- Port to port and door to door
- Carriage by sea, land and air
- Carriers and Handlers
- Shipowners, charterers, container liner operators
- Forwarding agents and freight forwarders/NVOCCs
- Terminals/stevedores
- Port Authorities

Charterparties

- Voyage charters, tanker and dry cargo
- Time charters
- Containership charters, slot-charters, space-charters
- Consortia agreements, connecting carrier agreements

Container Leasing

- Lease agreements
- Financial and operational

General Average, Salvage and Wreck Removal

Insurance

- Policy wordings
- Mutual insurance associations and market covers
- Placing insurance, the role of brokers and intermediaries
- Negotiating and placing reinsurance
- Captive Insurance

Professional Indemnity

- Standards of conduct/Duties to clients
- Partnership obligations

Recent Cases of Importance:

Significant work in the past year includes conducting a number of court-ordered mediations; issuing a number of arbitration awards, both on documents and after oral hearings, as sole Arbitrator or as Chairman of the arbitration panel, both in London and Hamburg; and acting as an expert witness in matters relating to ship sale and purchase and its relationship to P&I Club cover.

Education and Training:

David is a visiting lecturer at post-graduate level at universities in the UK and abroad. He is a member of the editorial board of, and a contributor to, the Informa Law publication Shipping & Trade Law. He has given editorial support to two major publications dealing with Bills of Lading. He is a contributing author to the Lloyd's Maritime and Transport Law Library publication 'The Carriage of Goods by Sea under the Rotterdam Rules'. He edits a legal case notes website @www.onlinedmc.co.uk, which specialises in Shipping & Transport, Arbitration and Jurisdiction, and Insurance cases. He is also a former director of the London Shipping Law Centre.