



EXCLUSIVE SEMINAR
For Turkish Agribusiness

21-22 November 2022

Istanbul

Formation and Fulfillment of Contracts for the Sale of Grains & Oilseeds.

Trading under English law.

Force majeure and compensation of losses.

GENERAL INFORMATION ABOUT THE SEMINAR

Time: 21-22 November 2022

Place: Lazzoni Hotel

Address: Sütlüce, İmrahor Cd. No:14, 34445 Beyoğlu/İstanbul

Payment: free of charge, registration required

AGA Partners, a leading law firm in commodities trade and arbitration, will hold a seminar in Istanbul **exclusively for Turkish commodities companies** regarding the main practical aspects of the conclusion and performance of contracts for the sale of grains and oils.

This seminar represents **a comprehensive educational course** covering the most relevant legal issues related to the performance of commodities contracts. It deals with the key stages of the contract execution – from its conclusion until receipt of payment.

The participants of the seminar will be able to obtain practical knowledge of the main rights and obligations under **commodities contracts**, the peculiarities of the application of English law, the most common mistakes of the parties and the possible ways of how to avoid them, the consequences of non-fulfilment of the contract and many other legal matters which arise in your everyday trade.

The speakers of the event will share **the practical insights** from their unique experience gained during +20 years of advising the leading Black Sea commodities companies on all matters of their trade under English law.

The training is based on **the analysis of real cases** with a special focus on the main challenges arising for Turkish agribusiness these days.

This event will be held in the format of **interactive communication** between the speakers and the audience during which the participants are encouraged to ask questions and discuss the matters they face in their day-to-day work.

The seminar can host only a limited number of participants.

SPEAKERS

Ivan Kasynyuk, Partner at AGA Partners.



Ivan specializes in consulting clients in the area of international trade and representing their interests in commercial arbitration at GAFTA, FOSFA, and LMAA.

Due to his extensive knowledge of English law and the peculiarities of commodities trade, Ivan is regularly involved in English court proceedings as an expert.

Ivan contributed to developing the unique GAFTA Contract No. 78UA designed particularly for trading in the Black Sea region. Ivan is a founding member of the GAFTA Black Sea Region Trade Committee.

Recognition:

- Best Lawyer in International Arbitration – Legal Award 2020, Legal Practice
- Lawyer of the Year in Trade Law – Best Lawyers 2021
- Leading Lawyer in Dispute Resolution – The Legal 500 (2015-2019)
- Recommended Lawyer for Dispute Resolution – Chambers Europe and Chambers Global (2018-2021)

Iryna Moroz, Partner at AGA Partners.



A recognized expert in the field of international arbitration, international trade and litigation.

Iryna Moroz has a unique experience in advising clients on all aspects of export/import contract execution and international cargo transportation. Iryna's extensive expertise in dispute resolution includes complex commercial arbitrations at major arbitral institutions (ICC, SCC, LCIA), as well as trade and maritime disputes at GAFTA, FOSFA, LMAA and RSA.

Iryna together with Ivan is admitted as a speaker at GAFTA training and educational courses dealing with international trade issues under the GAFTA Continuing Professional Development Program (CPDP).

Recognition:

- Leading Lawyer in Dispute Resolution – The Legal 500 (2015-2019)
- Leading Lawyer in International Arbitration and Trade Law – Best Lawyers (2018-2022)
- Leading Lawyer in Agribusiness – Ukrainian Law Firms, Legal Practice (2019-2020)

Pavlo Lebediev, Senior Associate at AGA Partners

Pavlo specializes in international commercial arbitration, international trade and cross-border litigation.

His expertise includes representation of the client's interests in high-profile arbitration disputes at GAFTA, FOSFA and LMAA. Within the last years, Pavlo has advised the clients on more than 30 arbitral proceedings and enabled them to succeed in the claims amounting to +30 mln US dollars.

Pavlo regularly represents clients in complex settlement negotiations aimed at the efficient resolution of disputes at a pre-arbitral stage. He also handles the contracts of the largest companies in the Black Sea region.

Recognition:

- Member of the Agribusiness Committee of the Ukrainian Bar Association (2022-2023)
- Nomination for the Best Young Lawyer Award – Ukrainian Bar Association (2021)



PROGRAM OF THE SEMINAR

21 November 2022, Monday

19:00 - 20:00

Welcome dinner

22 November 2022, Tuesday

09:00 - 09:30

Morning coffee

09:30 - 10:15

CONTRACT CONCLUSION: MY WORD IS MY BOND

- Preparation for the transaction
- How to properly enter into a sale contract?
- Incorporation of GAFTA/FOSFA standard contracts
- Why should English law be applied?
- Essential terms of the contract (conditions, warranties, innominate terms)

10:15 - 10:30

Case study: Was there a contract?

10:30 - 11:15

Coffee break

11:15 - 12:00

GOODS, DESCRIPTION, QUALITY, CONDITION

- Description
- Quality and specification. Condition
- Quality certificate – final and binding?
- What to do in the case of non-contractual quality?

12:00 - 12:15

Case study: Minor defect or not?

12:15 - 12:30

Coffee break

12:30 - 13:15

PAYMENT TERMS

- Negotiate your payment terms prudently!
- Forms of payment:
 - Prepayment
 - Cash against documents
 - Letter of Credit
- How to handle the payment delays?

13:15 - 13:30

Case study: Where is my money?!

13:30 - 14:00

Lunch

14:00 - 14:45

FORCE MAJEURE: DETAILS MATTER!

- Force majeure clauses in GAFTA and FOSFA contracts
- How should force majeure and war risk clauses be invoked?
- Does your counterparty have a right to cancel the contract?
- Recent trends in the application of force majeure clauses

14:45 - 15:00

Case study: Very difficult or impossible to perform?

14:45 - 15:00

Coffee break

15:00 - 15:45

DEFAULT AND DAMAGES

- What to do if the other party breached the contract?
- Establishing the default price. Basis of damages
- Date of default
- Consequential losses

14:45 - 15:00

Case study: Calculation of damages

16:00 - 16:30

Q&A