

# Timothy Young KC

SILK: 1996 | CALL: 1977

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## Overview

Timothy's principal area of practice is international trade, embracing shipping, commodities, insurance, the carriage and sale of goods, banking and related disciplines.

He appears principally in the High Court and Court of Appeal and before various international arbitration tribunals, in relation to all manner of trading and financial disputes.

Timothy also acts as an arbitrator, either sole or as a member of a panel. He accepts appointments under the rules of the LMAA, ICC, LCIA, SIAC and ad hoc, if required. Timothy is on the panel of arbitrators of the ICC, LCIA and SIAC.

Much of his work is in arbitration and therefore, by definition, confidential unless the cases reach the courts. However, the key cases below, from several jurisdictions, give a taste of Timothy's work.

Timothy was awarded "Best Shipping Silk 2016" by Chambers and Partners.

## Publications

- *Voyage Charters* (4th edn, Informa Law 2014) (co-author).

## Professional memberships

- London Common Law and Commercial Bar Association
- LMAA: Supporting Member
- The Baltic Exchange: Sole Trader Member

## Education

- University of Oxford, Magdalen College: BA in Jurisprudence, First Class (1975); Bachelor of Civil Law, First Class (1977)
- Institut Britannique de la Sorbonne (1972)

## Example cases

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- *"The Songa Winds"* [2018] EWHC 397 (Comm): considered the construction and operation of the international P&I Clubs' standard form for letters of indemnity for delivering cargo without the production of the original bills of lading.
- *NYK Bulkship (Atlantic) NV v Cargill International SA ("The Global Santosh")* 2016 UKSC 20: Supreme Court case concerning the meaning of "charterers' agents" in a common additional off-hire provision.
- Confidential arbitration for extremely complex matter related to three vessels and multiple companies involved in long term consecutive voyage charter disputes, long term LPG sales contracts disputes and guarantee disputes (ongoing).
- Two related confidential arbitrations in relation to shipbuilding contracts, the first an early termination dispute focused on whether a valid keel-laying notice was given, the second in relation to alleged technical malfunctions with delivered vessels. US\$60 million plus in dispute (ongoing).
- Acting for the claimant with regards to a damages claim for repudiation of contract for sale of iron ore pellets and force majeure. The claim is US\$1.1 million (ongoing).

## Important general contract

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### Damages

- *Golden Strait Corp v NYK – The Golden Victory* (HOL)
- *Omak v Mamola Challenger Shipping* – Shipping – The Mamola Challenger
- *Aerospace Publishing v Thames Water Utilities* (CA)
- *Standard Chartered Bank v Pakistan National Shipping Corporation* (HOL)
- The Aquafaith
- The Labrador
- *European Oat Millers v Wootton*

### Guarantees

- *Sabah Shipyard (Pakistan) Ltd v The Islamic Republic of Pakistan*
- *Golden Ocean v Salgaocar Mining Industries* (CA)

### Jurisdiction

- *Cummins v Shell International Trading & Shipping* (CA)
- *Superior Yacht Services v Bols Distilleries* (PC)

## Shipping and shipbuilding

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- The Island Archon (CA)
- The Gregos (HOL)
- *Standard Chartered Bank v Pakistan National Shipping Corporation* (HOL)
- The Sibi (CA)
- *Golden Strait Corp v NYK – The Golden Victory* (HOL)
- The Archimidis (CA)
- *Covington Marine v Xiamen Shipbuilding Industries*
- *KS Siboti v BP France*
- *Aisla Craig v Mansel Oil* (CA)
- The Jordan II (HOL)
- *Exportadora Vale de Collina v A P Moller*

- The Front Commander (CA)
- The Abqaiq (CA)
- The Limnos (CA)
- The Gimi / Khannur
- *North China Shipping v Xiamen Xuindaan* – The Michelakis
- *Targe Towing v Marine Blast* (CA)
- *Cosco v Armada Shipping*
- The Global Santosh (CA)
- The Hansa Murcia
- *ED&F Man v Unicargo Transport* – The Ladytramp (CA)

## Arbitration

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- *Kanoria v Guinness* [2006] 1 Lloyd’s Rep. 701 – subject – resistance to enforcement of arbitration awards under the New York Convention
- The Magdalena Oldendorff (CA)
- *Ajai Kanaria v Guinness* (CA)
- *Sterlite Industries (India) v Drey Moor Fertilisers*
- *Norscot Rig Management v Essar Oilfield Services*
- *ED&F Man v Belmont Shipping*
- *Soeximex v Agrocorpr*
- The Hansa Murcia

## Commodities

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- *Glencore v Lorico* (CA)
- *Glencore v Concordia*
- *Glencore v Agros Trading* (CA)
- *Huyton v Dipasa* (CA)
- *Mercuria Energy Trading v ERG Raffinerie*
- *Thai Mapern Trading v Louis Dreyfus*
- *Soeximex v Agrocorpr*
- *Olam v Ascot*

## Banking and securities

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- *Fortis Bank v Indian Overseas Bank* (CA)
- *ED&F Man v Fluxo Cane*
- *Stemcor v Indian Overseas Bank*
- *Raiffeisen Zentralbank Osterreich v Ransat Marketing Ltd*
- *Standard Chartered Bank v Hong Kong and Shanghai Banking Corp*

## Telecommunications

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- Various arbitrations for Asia Satellite Communications Company Ltd (“AsiaSat”)
- *Motorola Inc v Distacom Communications* (India)

## Defence procurement

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Numerous confidential cases for one the UK's premier defence contractors. Contact details can be provided on request.

## Recommendations

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Timothy has a fine mind and is a good lateral thinker. He comes up with points that no one has thought of. [The Legal 500 UK Bar 2024](#)

He's always able to think outside the box and come up with thoughts, ideas and strategies. [Chambers UK Bar 2024](#)

Timothy has been at forefront of commodities disputes for decades and he is a good cross-examiner who thinks outside the box. [The Legal 500 UK Bar 2024](#)

He is easy to work with, adaptable and a pleasure to work with. [Chambers UK Bar 2024](#)

Timothy is really delightful to deal with. [Chambers UK Bar 2024](#)

His main strength is his willingness to "think outside the box" and take on board difficult arguments. [The Legal 500 UK Bar 2023](#)

He is easy to deal with and open to ideas. Timothy is our go-to man for complex dry shipping questions. [Chambers UK Bar 2023](#)

Hugely knowledgeable and creative lawyer. Boundless energy. Indomitable opponent. Brilliant advocate. [The Legal 500 UK Bar 2023](#)

Tim is vastly experienced with a fantastically analytical and legally creative mind. Fun and lively to work with. He carefully builds up the case and pursues it with decisive cool and calm, and also deftly adjusts course at times depending on the apparent perception of the argument by the tribunal. [The Legal 500 Asia Pacific 2023: The English Bar](#)

Mr Young is warm, friendly to work with and the first choice of our firm for difficult cases. [Chambers UK Bar 2023](#)

He has a brilliant mind and never misses a point. Wonderful use of language and turn of phrase. Tenacious and highly persuasive as an advocate. [The Legal 500 UK Bar 2022](#)

Timothy is a go-to person when it comes to complex and difficult cases. [Chambers UK Bar 2022](#)

Creative, resilient and willing to fight difficult cases. [The Legal 500 Asia Pacific 2022: The English Bar](#)

He is tremendously easy to work with. [The Legal 500 UK Bar 2022](#)

A very inventive mind, he is the patron saint of lost causes. [Chambers UK Bar 2021](#)

He is knowledgeable, hardworking and conscientious. I have no hesitation recommending his services. [The Legal 500 UK Bar 2021](#)

He is a very smooth advocate and is brilliant overall. [Chambers UK Bar 2021](#)

He has a long history as an effective advocate. [The Legal 500 UK Bar 2021](#)

He is very experienced and extremely knowledgeable. [The Legal 500 UK Bar 2021](#)

A popular choice for Singapore dry shipping cases. [The Legal 500 UK Bar 2020](#)

An unflappable and dogged performer with years of experience behind him. [Chambers UK Bar 2020](#)

An excellent choice for any tribunal – he has a good understanding of the commercial mores of the parties. [The Legal 500 Asia Pacific 2020: The English Bar](#)

He has encyclopaedic knowledge of commodities and the shipping sector. [Chambers UK Bar 2020](#)

A superb strategist who is always able to see the bigger picture. [Chambers UK Bar 2019](#)

For commercial cases, Tim Young is probably as good as it gets. [Chambers UK Bar 2020](#)

An old hand who is extremely effective and a good advocate. [The Legal 500 UK Bar 2020](#)

Always a pleasure to work with. His advice is clear and commercial. As an advocate he is vastly experienced and totally committed. [Chambers UK Bar 2019](#)

Knowledgeable, hardworking and conscientious. [The Legal 500 UK Bar 2020](#)

He is very experienced and extremely knowledgeable. [The Legal 500 UK Bar 2020](#)

He is incredibly experienced and knowledgeable about commercial shipping matters. [The Legal 500 2018](#)

Absolutely superb, a clever advocate with encyclopaedic knowledge of the commodities and shipping sectors. [The Legal 500 UK Bar 2018](#)

If I need a huge legal brain to get me out of a hole, I go to Tim Young. He is unique, extraordinarily bright and fun to use. [Chambers UK Bar 2017](#)