

# **Baltic Expert Witness Association (BEWA)**

## **Membership Rules**

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### **VISION**

To be the global centre for the provision of maritime expert witnesses and associated services.

### **CODE OF PRACTICE**

Baltic Expert Witness Association (BEWA) members should ensure that they are fully aware of and comply with the contents and implications of the current Baltic Exchange Code of Practice.

ALL MEMBERS WILL UNDERTAKE TO:

1. Maintain the highest professional standards in their day-to-day business activities.
2. Act fairly, reasonably, responsibly, honourably and ethically with each other and with their clients and colleagues and not knowingly bring BEWA into disrepute.
3. Act within the legal and fiscal requirements of the jurisdictions in which they conduct their business and in accordance with international law and United Nations agreements.
4. Not to discriminate on the basis of race, religion, gender or disability.
5. Handle complaints quickly and sympathetically and correct errors promptly.
6. Keep personal and sensitive business information confidential and abide by the requirements of applicable data privacy and protection policies and legislation.

### **OBJECTIVES**

1. The name of the Association is Baltic Expert Witness Association (BEWA)
2. The office of the Association is situated in the offices of The Baltic Exchange, London, England
3. To encourage new members, including non-core Baltic members, into expert witness work from across the maritime spectrum (e.g. dry bulk, tankers, offshore, sale & purchase, surveyors, masters, engineers etc)
4. To educate and mentor
5. To abide by the Baltic Code of Practice
6. To strengthen relationships in the expert witness community (e.g. lawyers, P&I clubs, arbitrators)
7. Marketing of services
8. To be the representative forum of the maritime expert witness community.

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### MEMBERSHIP RULES

#### 1. DEFINITION AND INTERPRETATION

In these Rules, the following words and expressions have the following meanings unless the otherwise requires:

**Membership Rules** means the rules and fees as adopted by BEWA from time to time;

**Baltic Liaison Officer** means a representative who will liaise on behalf of BEWA with the Baltic Exchange from time to time;

**Council** means the board of BEWA Council members from time to time;

**Council Member** means a member of BEWA from time to time;

**Member** means a registered member of the Association from time to time, as recorded in the register of members of the Association;

**Aspiring Member** means an individual whose aim is to become a full member of BEWA within 3 years

#### 2. FULL MEMBERSHIP

2.1 Membership of BEWA is open to individuals with proven and relevant experience in the maritime sector.

2.2 A member may be either:

a) an elected member of the Baltic Exchange or

b) a non-Baltic Exchange member with relevant expertise to be determined by the BEWA Council

2.3 The number of members of BEWA shall be unlimited.

2.4 Applications for membership of BEWA must be submitted on official application forms (available on BEWA's website), which shall contain an agreement to conform, if elected, to the objectives of BEWA's Code of Practice.

2.5 BEWA members are approved and elected by the Council. Candidates for membership must be proposed by an existing full BEWA member, who shall have satisfied himself/herself that candidates are in every way suitable. The names and addresses of such candidates, together with the name of their proposer shall be submitted to the Council for approval. Existing BEWA members will be advised of new BEWA members, including aspiring members, at the next appropriate general meeting of BEWA.

2.6 A register of BEWA's members shall be kept and shall contain each full member's name, address or registered office address, their occupation, a description of the nature of the full member's business and expertise, contact details and date of entry to BEWA. BEWA data is stored in accordance with applicable legislation.

2.7 When there is a change in company name or contact details of a BEWA member, the BEWA member shall inform the BEWA Council as soon as possible.

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2.8 A BEWA member wishing to discontinue membership shall give written notice at least one month before the expiration of the current subscription year and on the expiration of such year shall cease to be a BEWA member.

### **3. SUBSCRIPTIONS AND OTHER PROVISIONS**

3.1 Any potential new BEWA member undertaking shipbroking activities will be required to join the Baltic Exchange as a Sole Trader unless they are already elected as a representative of a Baltic Exchange member company. Representatives of a Baltic Exchange member company will not be required to pay an additional fee for membership of BEWA, but they will be required to apply for membership of BEWA in accordance with Rules 2.5 and 2.6.

#### **3.2 Practising expert witnesses**

3.2.1 Baltic Exchange Sole Trader members, trading on their own account, may have their Baltic subscription reduced by their BEWA membership fee on application, if required.

3.2.2 Expert witnesses who are also elected representatives of a Baltic member company will not be able to offset their BEWA fee against any Baltic corporate membership fee.

3.2.3 A non-Baltic member with the relevant experience will be required to pay the full BEWA annual fee.

3.2.4 Each full member of BEWA will be invited to continue membership of BEWA on an annual basis.

3.2.5 Access to Baltic freight market data will be available to all BEWA members according to the fee table per Rider 1 of these BEWA Rules.

3.3 Members shall comply with and uphold the aims of BEWA as detailed in its Rules. A BEWA member may be expelled from membership by a majority vote of the BEWA Council for (but not limited to) failing to adhere to BEWA's Rules and the Baltic Exchange Code of Practice. An expelled BEWA member may be reinstated by a majority vote of the BEWA Council at its sole discretion. No amount of the annual subscription paid by the BEWA member shall be refunded on expulsion.

### **4. BEWA COUNCIL STRUCTURE**

4.1 The BEWA Council comprises five individuals: four from existing BEWA members, plus one Baltic Exchange Council member.

4.2 The Chair of the Council will be one of the four BEWA members but may not be the Baltic Exchange Council member. The Chair of the Council has the casting vote if needed.

4.3 The Baltic Exchange appoints a Baltic Liaison Officer, who is a member of BEWA, to attend BEWA Council meetings and to represent BEWA to the Baltic Exchange whenever required.

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### RIDERS

#### Rider 1

#### BEWA MEMBERSHIP FEES EFFECTIVE 2020

Entry for aspiring expert witnesses: £ 50 pa  
(maximum 3 years only)

Entry for aspiring expert witnesses: £ 25 pa  
(who are elected Baltic retired  
members)  
(maximum 3 years only)

Full expert witness membership: £ 250 pa  
Includes membership directory entry, lobbying support,  
publications, use of Baltic facilities, password to members' area  
of website (additional fees apply for access to data – see below)

#### Note:

Experts who are Baltic Exchange Sole Trader members will have  
this fee deducted from their Baltic membership fee

Experts who are existing Baltic Exchange members are admitted  
as BEWA members under their Baltic corporate membership plan  
from which their BEWA fee is not refundable

#### **Data Access** for BEWA members

Level 1	£ 250 pa	for headline only & fixtures
Level 2	£1,100 pa	for full data (Baltic members only)

Alternatively, **ad hoc** data requests: (for both full and aspiring BEWA members)

Fixture archive	£150	per request
Benchmark and BFA data	£200	per request
Both fixture and benchmark/BFA data	£300	per request

#### **Payment terms are 30 days**

- Note
- Aspiring members will be invited to renew their membership of BEWA for a maximum of three years. Within this period, they will be required to demonstrate a commitment to becoming expert witnesses and full members of BEWA. If they choose not to become full members of BEWA, they must leave BEWA unless they have in the meantime or later become members of the Baltic Exchange either as Sole Traders or as corporate members
  - Potential new members may attend one BEWA meeting only. To attend further meetings, they are required to join BEWA either as a full or aspiring member

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### **Rider 2**

#### **BALTIC EXCHANGE SUPPORT PROVIDED TO BEWA**

- Administer membership including subscriptions
- Maintain the Membership List
- Provide information and promote BEWA on the Baltic's website
- Promote BEWA in the Baltic's everyday marketing
- Offer venues at the Baltic free of charge