

**BERNING ROBERTSON**

Senior Associate
Durban,

T: +27 31 265 0651

E: berning.robertson@bowmanslaw.com

Overview

Berning Robertson is a senior associate in our Durban office in the Litigation Practice with a strong focus on shipping and logistics sector.

He specialises in various aspects of maritime law including admiralty litigation, sale and purchase of cargo, clearing and forwarding, procurement, goods in transit insurance and charter parties.

Berning also advises on customs and excise issues in respect of the import and export of cargo, setting up of bonded warehouses in compliance with legislation, tariff classification disputes and litigation against the South African Revenue Services to secure the sale of arrested cargo. His experience extends to various aspects of commercial law including High Court litigation and drafting and vetting of commercial contracts.

Berning is a member of The Maritime Law Association of South Africa and an associate member of the South African Association of Freight Forwarders.

He has LLB and LLM (Import and Export Law) degrees from North West University.

Experience

Berning has the following maritime and transport specific experience:

- On a continuous basis represent and advise major container shipping lines in disputes against shippers, consignees, authorities and contractors.
- Represents clearing and forwarding agents in their disputes with importers, exporters and the South African Revenue Services.
- Assist and advise importers and clearing and forwarding agents in tariff classification disputes and non-compliance disputes with the South African Revenue Services in respect of the importation of goods.
- He advises various corporate entities on the legal and permit requirements for the import and export of various products.
- Berning has advised, assisted and secured the release of foreign ship's captains when they are arrested, detained and charged by the South African Police Services for violation of permit conditions.
- Advise clients on the arrest of vessels and cargo to obtain security for the claims pending finalisation of litigation or arbitration.
- Represented clients in arbitration proceedings in London, United Kingdom.
- Acted for clearing and forwarding agent in a High Court litigation with importer (Logwin Air and Ocean Simesonke v JNB Ceramica CC (11202/2010) [2013] ZAGPJHC 189).
- Acted for the owner of damaged cargo against the ocean carrier (Sibi Shipping (Private) Limited and Another v Societe De Distrubution De Toutes Merchandises En Cote D'ivoire (A91.2011) [2013] ZAKZDHC 72 (6 December 2013).

Publications & Insights

- [Heavy weather at sea and the ship's protest](#)

- Incoterms and purchasing goods abroad
- Is the arrest of a ship's master necessary?
- Prosecuting illegal fishing
- Shipping lines should take proactive approach to abandoned cargo
- That ship that came in most likely belongs to someone else
- The Importance of correctly classifying imported goods
- The role of letters of credit in the international sale of goods
- Who is liable when a marine pilot causes a crash landing?