

**NICOLA NEL**

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Overview

Nicola Nel is a senior associate in the Durban office of Bowmans' Shipping and Logistics practice.

Nicola specialises in shipping litigation and enforcement, such as the arrest, attachment and judicial sale of ships and other maritime property. As far as non-maritime claims are concerned, Nicola also has experience with ex parte applications for the attachment of property to found or confirm jurisdiction in court actions in South Africa against foreign parties.

Nicola's practice also includes non-contentious work specific to the shipping and logistics industry, such as commercial/contractual drafting and related advice in the context of ship finance transactions, security for obligations and marine insurance. She has a special interest in international trade, commodities and trade finance.

Nicola has a BA degree from Rhodes University, a LLB degree from the University of Pretoria, and a LLM in Shipping Law from the University of Cape Town. Nicola is also an admitted attorney of the High Court of South Africa and a Notary Public.

Experience

- Assisted with the urgent setting aside of the arrest of the ship AS "Venetia" in the Durban High Court on behalf of a prominent international P&I club in circumstances where no security was put up for the release of the vessel.
- Assisted with the urgent attachment and sale of a cargo of chromite ore from on board the MV "Red Fin" when she called at Richards Bay, as well as the successful recovery of the client's full claim, interest and costs in an opposed court application for confirmation of the Referee's report.
- Assisted with with the arrest and judicial sale of the MV "Tarik 3" on behalf of both a prominent Dutch bank; preservation of the vessel ahead of her sale; assisted with the drafting and lodging of various claims with the Court appointed Referee; currently involved with application for confirmation / variation of the Referee's report (ongoing).
- Assisted with a successful (non-maritime) application in the Pretoria High Court for the attachment of a stockpile of magnetite ore in Phalaborwa and company shares in Johannesburg. The application was brought on behalf of a prominent South African logistics operator in order to found and/or confirm jurisdiction in an action against a foreign litigant regarding a claim of over USD 2 million.
- Assisted with the security arrest of the MT "Spike" off Durban on behalf of Turkish owning / chartering interests; subsequent opposition to a setting aside application brought by the vessel owners / managers.
- Assisted with the security arrest of the tugs "Northwind" and "Southwind" off Cape Town on behalf of Dutch crewing agents, lodging of claims against proceeds of the vessels and successfully arguing for a preferential ranking.
- Advising insurers for a prominent local ship repairer regarding an incident where a vessel was damaged in dry-dock, including an involved analysis of policy coverage issues, liability of the insured to the vessel owner and the insurer's rights of recovery against other parties under subrogation.

Publications & Insights

- [Blockchain technology is set to improve trust in international trade transactions](#)
- [LNG Imports – Fuel for the Future?](#)
- [Maritime Fraud: Revisiting the remarkable tale of the scuttling of the tanker ship “Salem”](#)
- [Pre-action security: advantages of South Africa in an uncertain market](#)
- [Release of Cargo by Shipping Lines – Importance of Original Bills](#)
- [Rise of the Smart Port: A Case for Blockchain Technology?](#)
- [SA oil and gas space hotting up](#)
- [South Africa’s New Maritime Policy and Ports Development](#)
- [The Advantages of a Maritime Claim](#)
- [Toward a South African ship-owning empire – the boost SA’s shipping industry needs?](#)
- [Vessel Scrapping a Viable Opportunity for South Africa?](#)