

## **BALTIME 1939 (revised 2001)**

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# **BALTIME 1939 - Uniform Time-Charter updated**

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BIMCO has recently completed the updating of one of its oldest forms, the BALTIME 1939 Uniform Time-Charter, which, with the exception of the introduction of a Part I box layout in 1974, has remained largely unaltered since it was first published in 1909.

Despite significant changes in the maritime industry over the past 93 years, BALTIME 1939 has remained one of BIMCO's most well-known documents and is still used extensively in the short sea trades.

It is important to note that the amendments to BALTIME 1939 have not altered the substance and overall balance of the document. This is reflected in the fact that BIMCO has maintained the original code-name of the form, although a small "(as revised 2001)" notation has been added. To users familiar with BALTIME 1939 the most noticeable change to the document is that the size of the text in Part II has been enlarged to make it easier to read; as a result the layout now covers 5 pages.

At BIMCO's Documentary Committee meeting held in Beijing in May 2001 it was proposed that BALTIME 1939 should either be technically up-dated or left as it was. It was felt that a complete revision would not add greatly to the use of the document since GENTIME was already available as a modern and balanced general time charter and should be promoted as the preferred BIMCO standard general time charter party. However, it was also felt that leaving BALTIME 1939 unamended would not be a viable proposition as BIMCO could not continue to have in its portfolio a document which used archaic terms and made use of a number of out-dated standard clauses.

Consequently, the Documentary Committee agreed that the document should undergo a minor technical revision to replace standard clauses, such as the War Risks Clause, with the latest editions published by BIMCO.

### **Part I**

Part I has been subject to a few minor amendments consistent with the changes made to Part II.

In Box 6, "GRT/NRT" has been replaced with "GT/NT" and in Box 9 the reference to "Board of Trade" has been deleted as it is a term no longer in use.

As a result of the incorporation of the new BIMCO Standard Dispute Resolution Clause into the document (Clause 23), the reference to "Arbitration" in Box 24 has been replaced by the term "Dispute resolution".

### **Part II**

With a view to modernising the wording of BALTIME 1939, the preamble text in Part II which refers to the "Board of Trade" has been deleted and all references to coal and boiler water have been deleted throughout the document as they no longer apply to modern shipping. The term "horse power" has now been changed to its modern equivalent of "brake horse power (bhp)".

Clause 3 (now renamed "Owners' Obligations") has been amended to take into account that the number of crew carried on board most vessels has decreased over the years, making it difficult for the Owners to provide one winchman per hatch on geared vessels. The new wording obliges the Owners to provide winchmen from the crew to the extent possible under the crew's employment conditions or local union or port regulations.

To reflect modern shipping practice, the original Clause 12 (Cleaning Boilers) has been deleted and it is important to note for those familiar with the layout of the old BALTIME 1939 that the removal of this Clause alters the numbering of the remaining clauses.

Of the more substantial changes are the replacement of the wording of Clause 20 (War) with the CONWARTIME 1993 War Risks Clause (see Special Circular No. 6, 28 July 1993) and Clause 22 (Arbitration) with BIMCO's newly adopted BIMCO DISPUTE RESOLUTION CLAUSE (see Special Circular No. 1, 16 January 2002) which incorporates an optional mediation provision.

**Withdrawal Notice**

Finally, it should be noted that the old BALTIME 1939 was officially withdrawn on 31 July 2002 following a 6 months' grace period.

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