



SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



New Zealand Branch Conference

The New Zealand branch recently held its annual conference. This year the committee opted for a distinctly maritime location — Waiheke Island, located in the Hauraki Gulf, near Auckland.

Welcome drinks were held the evening before the conference at Harbourside in the old Auckland Ferry Building. The location was still very much in keeping with the nautical theme, with views across the harbour. Many attendees took the opportunity to catch up with friends and colleagues, as well as to make new introductions, in advance of the conference.

The conference was held at Goldie Estate, Waiheke Island's oldest vineyard. This involved an early start for most attendees but what could be more fitting than traveling to the conference by ferry? As always, the NZ branch committee's aim was to present a balanced programme which would interest the diverse branch membership. While there was no formal theme, change featured prominently in many of the presentations. Legal developments featured throughout the day but presentations also considered how maritime participants can bring about change or deal with changing circumstances.

Two presentations particularly focused on coping with changing circumstances. We were delighted to have former MLAANZ president Frazer Hunt, from Mills Oakley in Sydney, Australia, travel to present on the Hanjin insolvency. He set out how stakeholders dealt with the consequences of the insolvency as well as touching on lessons learnt should another shipping line be put into receivership. John O'Dea, the Development Manager at the Lyttelton Port Company, gave an interesting presentation on how LPC was moving forward following the devastating Canterbury earthquakes. He emphasised that the Port could not just focus on restoration but had to continue to look ahead and anticipate other changes it would be facing in the short, medium and long term future.

Attendees came away from the conference with an update on important recent changes to maritime law. Matthew Flynn and Andrew Colgan, both of McElroys, stepped us through current marine insurance issues and Christopher Griggs, barrister, introduced the conference to the Maritime Crimes Amendment Bill highlighting some of the more extreme provisions in the proposed legislation. Neil Beadle, the current MLAANZ President, reflected on how the Health and Safety at Work Act 2015 has been applied by prosecutors and the courts since its coming into force in April last year. Speakers also updated the attendees on developments in the common law. Paul David QC presented a note on a recent UK Supreme Court case which considered safe port undertakings in charterparties. Emma Armstrong, Wilson Harle, and Gabrielle Scott-King, Chapman Tripp, presented case notes considering agency in a sub-charterer situation and the onus of proof for negligence under the Hague Rules, respectively.

Presenters also spoke about the influence MLAANZ and its members can have on maritime legislation and policy. Annabel Young, the Executive Director of the New Zealand Shipping Federation, provided advice on how to lobby effectively and Bevan Marten, Senior Lecturer at Victoria University of Wellington, updated members on the progress MLAANZ has made with its submissions on the Maritime Transport Act Amendment Bill.

Once the conference concluded and the formalities of the AGM were complete, attendees enjoyed tasting a selection of Goldie wines before dinner with great musical entertainment from Phil Hart.

The NZ committee was pleased to see attendee numbers were up this year, with approximately 70 people at the conference. Initial feedback on the change of venue has largely been very good so the committee is looking to hold the NZ conference on Waiheke Island again next year. Copies of the conference presentations will be available on the NZ branch website (pictures from the event are included on the following pages).

Kerryn Webster
Chairperson, MLAANZ New Zealand Branch Committee

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