40th ANNUAL 2013 CONFERENCE
19 - 20 SEPTEMBER
AUSTRALIAN NATIONAL MARITIME MUSEUM, SYDNEY
CHARTING A COURSE THROUGH A SEA OF CHANGE
Day 1 Thursday 19th September

OPENING SESSION

FS DETHRIDGE MEMORIAL ADDRESS

9.00am Welcome
Matthew Harvey
President, MLAANZ

9.05am Conference opening
The Hon Chief Justice Allsop AO
Federal Court of Australia

9.15am Dethridge Memorial Address
The Hon Justice Rares
Federal Court of Australia

SESSION 1

INSURANCE

10.00am Exclusion clauses in insurance law
Andrew Colgan
Solicitor, McElroys

Marine insurance reform in Australia: whither, whether, wither?
Andrew Tulloch
Partner, Colin Biggers & Paisley

11.10am Morning Tea

SESSION 2

CONTRACT

11.40am Third party agreements in the salvage context
Dr Bevan Marten
Lecturer, School of Law
Victoria University of Wellington

The new AusGrain Charterparty
Geoff Farnsworth
Principal, M&K Lawyers

The PPSA and liens
Jesper Martens
Special Counsel
HWL Ebsworth Lawyers

1.00pm Lunch

SESSION 3

ADHIMALTY

2.00pm Ship arrest in South Africa: 30 years of the ‘Associated Ship’
Angus Stewart
Barrister, NSW Bar

The early history of admiralty jurisdiction
Dr Damien Cremean
Barrister
Adjunct Professor in Law
University of Queensland

3.10pm Afternoon tea

SESSION 4

ETHICAL ISSUES IN ADHIMALTY PRACTICE

3.40pm Duty of disclosure in arresting a ship
Gregory Nell SC
Barrister, NSW Bar

Conflict of interest and discovery
Pat Saraceni
Counsel, Clifford Chance

Dealing with expert witnesses
Matthew Harvey
Barrister, Victorian Bar

5.00pm Close of day one

5.45pm Optional social event
Tall Ship Sailing
Day 2 Friday 20th September

**SESSION 5**

**HOT TOPICS**

- **9.00am**  
  Significant recent decisions in Australia  
  Ashwin Nair  
  Solicitor, Cocks Macnish  
  The Rena’s cautionary tale: Limitations of liability in marine claims in New Zealand  
  Nichola Reid  
  Senior Solicitor  
  DLA Phillips Fox  
  Current issues in arbitration in Singapore  
  Chris Edwards  
  Partner, Clyde & Co LLP

- **10.45am**  
  Morning Tea

**SESSION 6**

**REGULATORY MATTERS**

- **11.15am**  
  The new Navigation Act and national system - the first 100 days (nearly)  
  Clinton McKenzie  
  Manager, Office of Legal Counsel AMSA

- **12.30pm**  
  Lunch

**SESSION 7**

**INTERNATIONAL LAW**

- **1.30pm**  
  Foreign corrupt practices: The slow and controversial death of the facilitation payment defence and the difficulties it presents for the maritime industry  
  Christopher Keane  
  Special Counsel, K&L Gates  
  Australia’s position on IMO conventions  
  Dr Sarah Derrington  
  Barrister, QLD Bar  
  Current issues at CMI  
  Stuart Hetherington  
  Partner  
  Colin Biggers & Paisley

- **3.00pm**  
  Afternoon tea

**SESSION 8**

**PRACTICE MANAGEMENT**

- **3.20pm**  
  Financial resilience in torrid economic times  
  Andrew Chen  
  Principal, Crowe Horwath

- **4.10pm**  
  Questions

- **4.20pm**  
  Closing address  
  Vice President, MLAANZ

**ANNUAL GENERAL MEETING**

- **4.30pm**  
  MLAANZ Annual General Meeting

- **7.00pm**  
  Gala Dinner  
  Museum of Contemporary Art

**CPD/CLE Points**

This year’s programme contains topics to enable legal practitioners to obtain most of their CPD/CLE points for the year. There are sessions on substantive law and professional skills. There is also a session on ethics and one on practice management.

Regardless of your occupation, there is something in each session about maritime law that will spark your interest.
Climate:
Spring is positively gorgeous in Sydney. The average temperature ranges from 13°C (55°F) at night to 22°C (72°F) in the day. The weather is cool but is usually very pleasant and sunny.

Electricity: 240 volts, 50 Hz.

Goods and Services Tax (GST):
10% GST is incorporated into the price of goods and services sold in Australia. International visitors may be eligible for a GST refund on some goods bought in Australia.

Visas and passports:
All visitors to Australia, other than Australian and New Zealand citizens are required to obtain a visa to travel to Australia. For further information about visas please visit www.immi.gov.au

Air transport:
Most major airlines will fly directly into Sydney.

Ground Transport:
A taxi from Sydney airport to the hotel will cost approximately AU$50.00. Airport shuttles also operate. For more information please go to www.sydneyairport.com.au

Travel insurance:
It is strongly recommended that delegates should make their own arrangements for travel insurance as registration fees do not include insurance of any kind. The conference organisers and MLAANZ cannot take responsibility for any accidents or losses incurred by delegates.

register online at www.tmm.com.au

Accommodation Information

Astral Towers (The Star Casino Complex)

The Astral Towers
80 Pyrmont Street, Sydney
Tel: +61 2 9777 9000
www.star.com.au

| Deluxe King Room | AU$280.00 per room per night |
| Deluxe King Room + breakfast for 1 | AU$314.90 per room per night plus breakfast for one |

A full buffet breakfast is available in the Garden Buffet on Level one.
Please book early as rooms are subject to availability.

Accommodation Information

Novotel Darling Harbour
70-100 Murray Street, Darling Harbour
Tel: +61 2 9777 9000
novoteldarlingharbour.com.au

| Pyrmont view room | AU$269.00 per room per night |
| Darling Harbour room | AU$289.00 per room per night |

Breakfast is available in the hotel’s restaurant. A special rate of $20.00 is available for conference guests.
Please book early as rooms are subject to availability.

Conference Venue Information

Australian National Maritime Museum
2 Murray Street, Darling Harbour, Sydney
Phone: +61 2 9298 3649
www.anmm.gov.au

The Australian National Maritime Museum was officially opened in 1991 and is located on the western shore of Sydney’s Darling Harbour.

The heritage wharf is host to the largest fleets of any museum in the world. The 14 vessels include a former navy destroyer HMAS Vampire, a former navy submarine HMAS Onslow, a full-scale replica of Captain Cook’s ship Endeavour and a variety of smaller vessels scaling down to an 8.6-metre couta fishing boat.
The Meetings Manager
Suite 16/7 Rosebery Place, Balmain, Sydney NSW 2041
Tel: +61 (2) 9810 7322  Fax: +61 (2) 9810 7320
Email: meetings@tmm.com.au   www.tmm.com.au

Images shown in this brochure were very kindly supplied by Destination NSW, Australian National Maritime Museum, Astral Towers, Novotel Darling Harbour, Sydney Harbour Tall Ships and NSW Ports.
Registration Fees: (include 10% GST)

- Early bird (register and pay by Friday 2nd August)
  - Member: AU$925.00
  - Non member: AU$1050.00
- Standard fees
  - Member: AU$995.00
  - Non member: AU$1150.00
- Young member/Student registration (less than 3 years of practice)
  - Member: AU$75.00
  - Non member: AU$1150.00

Includes one ticket to the gala dinner

I will be attending the Gala Dinner  
[ ] yes  [ ] no

No of additional guests ________ @ $150.00 per person
Name of guest:

Optional Thursday Social Event: (not included in registration fee)

Fees include: morning & afternoon tea, lunches, gala dinner and conference documentation. Please note the optional event on Thursday is not included.

Accommodation:

Please book rooms as soon as possible as they are both subject to availability at time of booking.

- Please provide credit card details which will be forwarded to the hotel to guarantee your booking.

  - The Astral Towers: Check-in time is 3.00pm and check-out time is 11.00am.  
  - Novotel Darling Harbour: Check-in time is 2.00pm and check-out is 11.00am.

Cancellation policy: Cancellation less than 28 days prior to arrival date may incur the full cost of your accommodation booking. This is at the discretion of the hotel.

The Astral Towers
- Deluxe King Room (room only)  
  - Room Only: AU$280.00
  - Room + Buffet Breakfast for 1: AU$314.90

Arrival date ________________  Departure Date ________________
[ ] Non smoking room preferred

Novotel Darling Harbour
- Pyrmont view room (room only)  
  - Room Only: AU$269.00
- Darling Harbour view room (room only)  
  - Room Only: AU$289.00
- Please include breakfast with my booking  
  - Room Only: AU$20.00

Arrival date ________________  Departure Date ________________
[ ] Non smoking room preferred

To Register:

Register online: www.tmm.com.au
or please complete this form and return to:
The Meetings Manager Pty Ltd
Suite 16/7 Rosebery Place
Balmain, Sydney NSW 2041
or fax to +61(2) 9810 7320

Registration form - make it easy, register online at www.tmm.com.au

Payment Details:

Payments can be made in Australia dollars by credit card, cheque or by EFT. For EFT details contact The Meetings Manager Pty Ltd for the bank details.

Registration fee: $ ________________

Includes one ticket to the gala dinner

I will be attending the Gala Dinner  
[ ] yes  [ ] no

No. of additional guests ________ @ $150.00 per person
Name of guest:

Optional Thursday Social Event: (not included in registration fee)

No. of tickets ________ @ $55.00 per person  $ ________________
Name of attendees:

TOTAL $ ________________

[ ] I would like to pay by EFT, please send me an invoice
[ ] A cheque payable to The Meetings Manager Pty Ltd is enclosed
Please charge the following credit card*

- Mastercard
- Visa
- Amex

Card number
Expiry date / CCV Number
Signature

(credit card payment not valid without signature)

Please print cardholder’s name

*These details will be passed to the hotel if you have booked accommodation

Cancellations:

If you are unable to attend, a substitute delegate is welcome at no extra charge. Where no substitute is available, AU$165.00 will be deducted from your registration fee for cancellations received by The Meetings Manager in writing at least 28 days prior to the event. Thereafter no refunds can be made.

Privacy Policy:

By registering for this conference, relevant details will be held on a database at The Meetings Manager Pty Ltd and MLAANZ. A delegate list will be provided to all conference participants (name, position and organisation only). Information may also be made available to parties directly related to the conference including sponsors. If you do not wish your information used in this manner please email us on meetings@tmm.com.au

It may be necessary for reasons beyond the control of the organisers to alter the content of the conference program.