



# SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



## President's Message

### *The early bird catches the worm ... by 31 August*

Our Federal conference is in the wonderful cultural city of Melbourne from 4-6 October. The Queensland branch surpassed themselves last year with a great programme in the beautiful resort of Noosa, and I have no doubt having reviewed this year's programme that the Victorian branch has done likewise.

We have been fortunate in recent years that through sound management and the support of our sponsors, we have always made a profit from our conferences and not had to call on our reserves. Rather than accumulate more funds, last year I was determined that we would try to operate at cost for the benefit of members and not make a profit. Despite my best efforts we still made a profit of about \$10,000! This year, the Board resolved to treat that profit as spent on this year's conference in fixing the registration fee. We have also taken the view that we are prepared to be a little less concerned whether we will be profitable or not.

We have therefore reduced the conference fee for existing members by \$150. So the early bird fee is \$650 for members who book before 31 August.

For that you will hear from the Hon. Sir Bernard Eder who has kindly agreed to come from London to speak at our conference. We also have three Australian judges, many distinguished speakers from maritime-related industries, academics, and senior lawyers from Singapore, New Zealand and Australia who complete a fascinating programme.

You will also be treated to the conference dinner at the MCG.

The conference programme is enough of a draw card to come, but you also have the benefit of a very reasonable registration — especially if you book before 31 August.

And if you are under 30, while you won't get the dinner thrown in, you can attend all sessions for \$100.

Full details are on our [website](#).

### ***Marine insurance law reform in Australia***

Last year the UK passed new legislation significantly altering the law of marine insurance. Recognising that many of those changes reflected work earlier done in Australia but not enacted, MLAANZ is promoting reform of the law in Australia to ensure that the legislative environment is brought up to date.

I am pleased to report that after consultation both with its lawyer members and the marine insurance industry, the Board sub-committee chaired by Derek Luxford, has finalised a draft Bill to amend the law. That has been approved by the Board and I have written to the Attorney General who has acknowledged the hard work done and the importance of the need for reform. Derek and our Secretary and member of the Board, Paul Baxter, met with the A-G's department on 24 July to discuss how we might further support the promotion of the Bill, and that is progressing. Herewith a copy of my letter to the A-G and his response.

I will keep you up-to-date with progress of this initiative.

**Maritime Transport Amendment Bill 2016**

In February, with the assistance of Dr Bevan Marten, the NZ branch filed a submission in relation to this amending legislation. Dr Marten and I then appeared before the Parliamentary Select Committee to make our case. Our written submission can be found on our [website](#). While supporting most of the amendments, in broad terms we opposed a proposed change in the law which would exclude certain costs in raising, removal, destruction or rendering harmless of a wreck from being subject to limitation, unless they are claims of public authorities.

The government has accepted our advocated position.

**Resource for members — ship finance security practices**

Comite Maritime International has asked all maritime law associations to provide answers to a very extensive questionnaire on ship finance security.

I am very grateful to Professor Nick Gaskell of the Marine and Shipping Law Unit, TC Beirne School of Law, University of Queensland and Dr Bevan Marten from Victoria University Wellington in their coordinating the preparation of, and reviewing the responses. I also acknowledge the hard work put in by our Australian scholars Jaamae Hafeez-Baig, judges' clerk, Stephanie Derrington at Minter Ellison and Tony Tesorio, Deputy District Registrar, and by Jacob Meagher our NZ scholar currently studying at Cambridge for his PhD, in preparing the draft answers.

The answers can be found on our [website](#).

**Diploma in International Maritime Arbitration**

The International Malaysian Society of Maritime Law is working with the Chartered Institute of Arbitrators in running a Diploma in International Maritime Arbitration. The Faculty includes two members well known to us, namely the Hon. James Allsop, Chief Justice of the Federal Court of Australia, and Angus Stewart SC. Details can be found at <http://imsml.org/calendarofevents/2017/11/11/diploma-in-international-maritime-arbitration>.

I look forward to catching up with you in Melbourne, but if in the meantime you have any issues you wish to raise with me or the Board please contact me at [neil.beadle@dlapiper.com](mailto:neil.beadle@dlapiper.com).

Neil Beadle  
President, MLAANZ

August 2017

