



Neil Beadle
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Senator the Hon George Brandis QC
Senate
Parliament House
Canberra ACT 2600
By email only: senator.brandis@aph.gov.au

Dear Attorney-General

Proposal to amend the Commonwealth Marine Insurance Act 1909

Our association, known as MLAANZ, is an association whose objectives include the advancement of reforms in maritime law, and promotion of the unification of maritime and commercial law.

MLAANZ was formed in 1974, and currently has about 500 members across Australia and New Zealand. The association has branches in Western Australia, New South Wales, Victoria, Queensland and New Zealand.

The purposes of this letter are to:

- provide the background to the association's proposal to amend the Commonwealth Marine Insurance Act 1909
- explain the enclosed documents, which set out more detail of the history and benefits of the proposed changes, and
- respectfully request your ongoing support for the policy and progress of the proposed amendments.

Prompted by concerns expressed by members arising from adoption in the United Kingdom of significant insurance law reform, MLAANZ formed a sub-committee of the Board composed of leading legal practitioners, academics and insurance professionals, to review the UK reforms and determine whether law reform was required in Australia.

The conclusions of that review are set out in the attached Explanatory Memorandum for a Bill to amend the Commonwealth Marine Insurance Act 1909, to be read in conjunction with the draft Bill to that effect.

The draft conclusions of the Board sub-committee were widely circulated to MLAANZ members. A series of public meetings have been held at which the findings of the Board sub-committee were presented. There were meetings in Melbourne, Sydney and Brisbane. Members from Perth, Adelaide and Hobart participated in the Sydney meeting by video link. The findings were presented at the Federal Conference of MLAANZ at Noosa in October 2016.

The Board acknowledges that the enclosed Explanatory Memorandum does not reflect the format ordinarily adopted for an Explanatory Memorandum as required for the legislative process. It is provided on the basis that it is to assist you in identifying the history and drivers for change. If you would like us to assist in preparing an Explanatory Memorandum for the legislative process, MLAANZ is very willing to provide that assistance, though we defer to your department's expertise and that of Parliamentary Counsel in this respect.

I commend the draft Bill to you, as I consider the points made in the Explanatory Memorandum to be compelling in assisting in ensuring the ongoing competitiveness of Australian marine insurance business. The changes proposed have the support of the marine insurance community.

MLAANZ will be happy to elaborate on any points if called upon to do so.

When you have had the opportunity to review this proposal, I would be grateful if you would advise a timetable for further steps in bringing this Bill to fruition, and any further contribution this association may make in achieving that objective.

Regards

A handwritten signature in black ink, appearing to read 'Neil Beadle', with a long horizontal flourish extending to the right.

Neil Beadle
President