



# SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



## President's Message

In this, the first quarterly edition of *Semaphore* for 2021, we cover a wide range of topics, with renewed focus on the continuing implications of the COVID-19 pandemic for international shipping. There are stories on the evolution of the trans-Tasman “bubble”, and on fears of an increasing number of seafarers taking their own lives as a result of being stranded onboard their ships – now a widely-acknowledged risk.

The chair of our New Zealand Branch, Hamish Fletcher, has provided a comprehensive outline of planned New Zealand Branch activities and a summary of recent New Zealand maritime developments. There is a separate story on the fate of a Kiwi cruise initiative.

From New South Wales, there's an item on a long-awaited update of maritime regulations.

We mark the passing of an esteemed member of our Queensland Branch, Frank Turner.

We've included a summary of an interesting judicial decision of the High Court of Singapore, concerning which party should be the *in personam* defendant in an admiralty action *in rem* against a ship under new ownership.

Elsewhere on the international scene, we highlight the rising tensions amongst nations bordering the South China Sea regarding maritime boundaries.

On the alternative energy front, there's a report on the implications for the maritime industry of United States President Joe Biden's executive order aiming to double offshore wind power generation in United States waters by 2030, potentially heralding dramatic growth for the sector.

I would like to take this opportunity to acknowledge the contributions of the members of our editorial panel, executive editor Iain MacIntyre and contributing journalist Dave MacIntyre, for their tireless work in identifying stimulating stories and topics likely to be of interest to our members – not just in this edition but throughout the past 18 months.

MLAANZ got off to a flying start in 2021 thanks to the scheduling of another round of “virtual” seminars on maritime law topics organised by our Western Australian and Victorian Branches. The Western Australian Branch held a seminar on February 24 on the topic “Section 11 of COGSA and an unintended lacuna in the inter-state carriage of goods by sea” with Greg Nell SC of the NSW Bar as the primary speaker.

A Victorian Branch seminar on March 2 addressed “*Halliburton v Chubb*: Implications for Arbitration in Australia” and comprised a panel of esteemed speakers: Bronwyn Lincoln of Corrs Chambers Westgarth, Hazel Brewer of HFW Perth and Peter McQueen from ArbDB Chambers.

In addition, the following seminars have been scheduled for the weeks ahead:

- a Victorian Branch seminar on April 14, “COVID and Insurance in the Maritime and Transport Industries”, with speakers: Aisha Lala, Wotton & Kearney; Andrew Gibson, Integra; Andrew Tulloch, Colin Biggers & Paisley; Hazel Brasington, Ashurst; and Michael Sullivan, NTI
- another Victorian Branch seminar on May 12, “Salvaging Treasure from Wrecks: Public and Private Law Issues”, featuring speakers Professor Richard Garnett from the University of Melbourne and Matthew Harvey QC of the Victorian Bar

If you have not already done so please be sure to register for these upcoming events on April 14 and May 12. Our sincere thanks go not only to the branch chairs, Pat Saraceni in Perth and Matthew Harvey in Melbourne, and their committees, but also to all of our speakers and panellists.

I know that one of the main questions on members' lips at this time is: now that COVID-related travel restrictions appear to be abating, will MLAANZ hold an annual conference in 2021? The executive committee has given consideration to this and we are now looking at the possibility of convening a "slimmed down" conference in Brisbane from September 30 to October 1 this year.

The previous plan was to hold a conference in Western Australia but logistics and border restriction issues mean this is unlikely to be the best location option in 2021. We have asked our Queensland Branch to plan out an event which would involve a dinner on the evening of Thursday September 30 (when our Annual General Meeting would be held) and all-day sessions on Friday October 1. It is likely this will be a "hybrid" style event with electronic remote participation possible, but with Queensland members and those in a position to travel from other locations able to attend in person.

More details will be available in the weeks ahead, but you might like to note these potential dates in your diaries.

Finally, if you have not yet paid your membership renewal subscription for 2021, please attend to this as soon as possible.

Yours in shipping

David Goodwin  
President  
MLAANZ  
Associate Professor  
Head, Industry & External Engagement  
Victoria University Business School  
Melbourne, Victoria, 3000  
+61 3 9919 1989  
david.goodwin@vu.edu.au

March 2021

