



# SEMAPHORE

Newsletter of the Maritime Law

Association of Australia and New Zealand



## Marine Insurance Seminar Attracts 120-plus

Over 120 interstate and overseas registrants remotely attended the September 1 MLAANZ NSW Branch seminar focused on marine insurance.

We were privileged to have also been joined by Justice Stewart of the Federal Court of Australia.

The seminar's presenters and topics entailed:

- Peter Craney, Special Counsel at Kennedy's lawyers based in Sydney, discussing the decision of the Queensland Supreme Court in *DMS Maritime Pty Limited v Navigators Corporate Underwriters & Ors* [2020] QSC 382

The case centred around whether a ship repairer's policy fell for consideration under Australia's Marine Insurance Act 1909 or the Insurance Contracts Act 1984. The ship repairer in question was responsible for the repair of an Australian Defence Force patrol boat valued at around A\$35 million which was destroyed during the course of repairs

- Edward Cox SC, a barrister from Greenway Chambers, speaking on the Australian Full Federal Court's decision in *Swashplate Pty Ltd v Liberty Mutual Insurance Company*

The case involved the shipment of helicopters in containers from the United States to Australia which were damaged due to insufficient packaging. Questions as to the timing of the coverage of the marine insurance policy were central to whether the cargo owner could recover under the policy, notwithstanding its responsibility for the packaging

- Maurice Lynch, Special Counsel at Mills Oakley, discussing the ramifications for insurance markets of the *Swashplate* decision

Clearly one of the benefits of the switch to an online platform was that members and colleagues were able to participate regardless of time zones and without the expense of attendance.

The NSW Branch is very grateful to Greenway Chambers who hosted and supported the event.

Kind regards

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