

MLAANZ 31st Annual Conference
29 September – 1 October 2004
Stamford Grand, Glenelg, South Australia

Day 1 Thursday, 30 September 2004

- 9.00 am **Welcome**
John Farquharson, President, MLAANZ
- 9.05 **Official Opening**
The Hon. Justice John Mansfield
Federal Court of Australia
- 9.15 **Introduction of The Hon Mr Justice William Waung**
Frazer Hunt – MLAANZ Australian Vice President
- 9.20 **F. S. Dethridge Memorial Address**
Maritime Law of Priorities: Equity, Justice and Certainty
The Hon Mr Justice William Waung
Admiralty Judge, High Court of Hong Kong
- Session 1 Insuring Marine Risks in the Modern Day**
- Chair: Peter McQueen, Partner, Blake Dawson Waldron
- 9:50 **The ISPS and Club Concerns**
Jonathan Lux
Partner, Ince & Co., London
- 10:10 **Marine Insurance: Legal Sleeping Dogs**
Michael Hill
Director, Associated Marine Insurance Agency
- 10:30 **Morning Tea**
- 10:40 **Protection and Indemnity Insurance: Conduct, Intent and Punitive Damages**
John Lean Director, The Steamship Mutual Underwriting Association (Bermuda) Limited,
Consultant - Botany Bay Shipping Group Pty Ltd

11.00 **A Defining Moment for the London Market?**
An Analysis of the Judgment in David George King and Others v Brandywine Reinsurance (UK) Ltd (formerly Cigna Re Co (UK))
David Martin-Clark
Shipping & Insurance Consultant, Arbitrator and Mediator
Paper to be presented by Ron Salter, Partner, Phillips Fox

11:20 Panel

Session 2 Salvage, Pilotage, Towage – Business Issues and Public Concerns

Chair: Barbara Pearson, General Counsel, AMSA

11:35 **Salvage capability in Australia - The Issues**
Ian Hoskison, Director
United Salvage Pty Ltd

11:55 **Beyond the Human Factor – Making Layers Redundant**
Capt. Steve Pelecanos, Chairman
Brisbane Marine Pilots

12:15 **Marine Casualties - Reducing the Risk**
Prevention - Response - Resources
David Baird, General Manager Emergency Response
AMSA

12:35 Panel

12:55 **Lunch**
The Wisdom of Solomon at Sea – An Update on the Work of the MLAANZ Arbitration Committee
Report from Arbitration Committee
Ron Salter
Partner, Phillips Fox, Melbourne

Session 3 Maritime Security–The Changing World since September 2001

Chair: Craig Carter, Senior Associate, Ebsworth & Ebsworth

2:15 **Maritime Security in Australia**
John Kilner, Head of Maritime Security,
Office of Transport Security, DOTARS

2:40 **The ISPS Code and Beyond**
Russell Kilvington
Director Maritime Safety,
Maritime Safety Authority of New Zealand

3:05 **The ISPS code - The Mutual Dependency of Shipping and
Cargo Interests**
Tony Pegum
Director, Seawise Australia Pty Ltd

3:30 **Maritime Security: The Canadian Approach**
Yves Villemaire, Director General, Fleet
Canadian Coast Guard

4:00 Panel

4:20 **Afternoon Tea**

End of Day 1

6.30pm – 8.00pm **Cocktails and Jazz**
Salt Bar and Restaurant – Holdfast Shores

Day 2 Friday, 1 October 2004

Session 4 Concern for our Ocean and its Stocks

Chair: Dianne Rimington, Acting CEO, AMSA

9:00 **Ministerial Address**
Senator The Hon Ian Macdonald
Minister for Fisheries, Forestry and Conservation

9:35 **Fish Know No Jurisdiction**
Michael Coates
Fishing Industry Solicitor

10:00 **The Tuna Industry: Globalisation of Fishing Access Rights and Insurance Levels**
Brian Jeffriess, President
Tuna Boat Owners Association

10:45 **A Maturing Quota Management System**
Kim Proctor-Western, Partner, Hamish Fletcher Lawyers
Paper to be presented by Dr Michael Underdown

11:05 Panel

11:15 **Morning Tea**

Session 5 Vulnerability of Masters and their Vessels

Chair: Michael Fisher, Partner, Thynne & Macartney

11:30 **Protection of Masters: Emerging Problems for the Shipping Industry**
Professor Edgar Gold QC

12:05 **Attacks on Ships: Emerging Problems for the Shipping Industry**
Dr Michael White QC

12:40 Panel

12:50 **Lunch**

Session 6 Coming to Grips with some Currently Emerging Issues

Chair: Michelle Taylor, Solicitor, Phillips Fox

1:45 Places of Refuge & CMI Developments

Stuart Hetherington
Partner, Withnell Hetherington

2:05 UNCITRAL – Do We Need It?

Dr Sarah Derrington
Associate Professor, TC Beirne School of Law, UQ

**2:45 Emerging Trends in Handling Cargo Recoveries in
The United States**

David Maloof
Partner, Maloof Browne and Eagan LLC, New York

3:05 Panel

3:20 Closing Address

Philip Rzepecky, MLAANZ New Zealand Vice President

3:30 Afternoon Tea

3:45 Annual General Meeting

4:15 Council Meeting

4:45 **End of Day 2**

6.30pm – 11.00pm

Gala Dinner
Windy Point Restaurant