



## **Australian Insurance Law Association National Conference 2013**

18-20 September | Doltone House Jones Bay Wharf | Sydney

Wide Exposure Safe Harbour | **Registration**



[www.safeharbour2013.com](http://www.safeharbour2013.com)

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## Committee

### **AILA 2013 Organising Committee**

*Chair*

John Edmond, Clyde & Co

*Deputy Chair*

Ray Giblett, Gadens

Peter Backe-Hansen, Allianz Australia

Chris Ehlers, MDD

Justine Hall, Insurance Council of Australia

Matthew Harding, HWL Ebsworth

David Lee, Lee & Lyons

Peter Mann, Clayton Utz

Lisa Smith, APRA

Andrew Thomas, Cerno

*Secretary*

Penny Paterson, AILA NSW

# Welcome

## President's welcome



**Welcome to the Australian Insurance Law Association's 2013 annual conference, "Wide Exposure, Safe Harbour".**

This year's venue is the harbour city of Sydney and I am delighted the international insurance law association, AIDA, has decided to combine its Presidential Council meeting with our conference.

That gives us an opportunity to showcase Sydney to our international colleagues and for AILA2013 delegates to participate in the AIDA working parties' meetings on the Wednesday before the conference officially launches with our concurrent Harbourlight seminars.

The unique combination of the conference, coupled with the Presidential Council meeting in Australia for the first time since 1994, is a major drawcard so I urge AILA members to ensure they're in attendance.

This will be an opportune time for participation and networking on a global scale. The organising committee has assembled a dazzling array of national and international speakers and provided a varied program of educational and social events.

There will again be a segment of the program focused on Asia Pacific and the Regional Committee will meet to continue planning for the proposed inaugural Asia Pacific Regional Conference in 2016. Some details of this will be announced during the conference.

AILA's role is to educate its members on insurance law developments and that goal will be admirably achieved in this 30th anniversary year of the founding of AILA. There will also be opportunities to enjoy the magnificent Sydney harbour and sample the local fare.

Welcome to AILA2013; I look forward to sharing the conference with you.

**David Lee**  
Lee & Lyons Lawyers  
AILA President

## Chair's invitation



**On behalf of the Australian Insurance Law Association it is my great pleasure to invite you to the AILA2013 conference taking place on 18 – 20 September, 2013.**

The theme of the conference is "Wide Exposure, Safe Harbour". From the opening reception at the MCA overlooking Circular Quay to the closing lunch at Doltone House Jones Bay Wharf, our spectacular harbour will be on display.

The program for 2013 will offer a range of international and domestic speakers, including the Chief Justice of the Supreme Court of NSW, the Honourable Tom Bathurst; the CEO of the National Insurance Brokers Association, Dallas Booth, and the CEO of Zurich General Insurance, Daniel Fogarty.

There is plenty there for both the insurance industry professional and the legal enthusiast. This year we've introduced differential pricing to make the event all the more affordable for the insurance industry. Have a look at pricing on the next page and get your registration in early.

I'd like to thank our sponsors who appear on the opening page. Without their terrific support, the conference would still be possible but it would be an altogether less classy and more pricey event for our delegates.

I look forward in seeing you all at AILA2013 in Sydney.

**John Edmond**  
Clyde & Co  
AILA 2013 Conference Chair

# Registration

Please read this information carefully before completing the registration form.

## Who should attend?

### AILA2013 would be of relevance to:

Industry bodies such as employees of:

- Insurers
- Reinsurers
- Brokers
- Coverholders
- Regulators

Non-industry bodies and/or professionals such as:

- Lawyers
- Barristers
- Accountants
- Loss adjusters

## How to register

Register now online at [www.safeharbour2013.com/registration](http://www.safeharbour2013.com/registration)

Each delegate must complete a separate registration form.

**Please note that the conference early bird registration closes on 12 July 2013.**

## AIDA Working Party Sessions (optional)

A series of concurrent AIDA working party sessions will be held Wednesday 18 September 2013. These are optional extras but you are encouraged to attend any that are of interest. The working party sessions will take place at Doltone House Darling Island Wharf. Please indicate on the registration form if you wish to attend a working party session. Please refer to the program for further information.

## Harbourlight sessions

Three concurrent sessions will be held on Wednesday 18 September 2013. Please indicate on the registration form if you wish to attend a harbourlight session. Places are limited. Please refer to the program for further information.

### Harbourlight session A

*Insurance Trends in Asia*

Wednesday 18 September, 4.15pm – 5.30pm

Venue: DLA Piper

### Harbourlight session B

*NDIS Update: Where to from here?*

Wednesday 18 September, 4.15pm – 5.30pm

Venue: Minter Ellison

### Harbourlight session C

*Directors' and Officers' Liability – Looking for a safe harbour*

Wednesday 18 September, 4.15pm – 5.30pm

Venue: HWL Ebsworth

## Registration entitlements

### Full conference registration includes:

- Harbourlight sessions and Welcome Reception held on Wednesday 18 September
- Attendance at all conference sessions (Thursday and Friday)
- Gala dinner
- Morning tea, lunch and afternoon tea
- Closing lunch
- Conference materials
- The option to attend an AIDA working party session held on Wednesday 18 September

## Method of payment

Payment of fees must accompany all registrations. No registration will be confirmed until payment is received. Payment can be made by the following methods:

- **Cheque:** Cheques should be made payable to Australian Insurance Law Association 2013

## Registration fees

All fees are quoted in Australian Dollars (AUD) and are inclusive of 10% GST. Registrations made after Friday 13 September 2013 must be made onsite at the conference.

AILA and NZILA members can register under the member registration rate.

	Early Bird Rate (to 12 July 2013)	Standard Rate (13 July -18 September 2013)
<b>AILA Members or Insurance Industry *</b>	<b>\$990.00</b>	<b>\$1,090.00</b>
<b>Non-Members and Non-Industry *</b>	<b>\$1,290.00</b>	<b>\$1,390.00</b>

\* To qualify for insurance industry rate delegates include, but are not limited to, employees of insurers, reinsurers, brokers, coverholders, regulators and industry associations. Non-industry rate delegates are generally employed by or associated with those organisations who provide services to the Industry and include, but are not limited to, lawyers, barristers, accountants and loss adjusters.

In the rare event of any uncertainty about whether a person is considered industry or non-industry, the decision of the organising committee will be final.

• **Direct Deposit:**

Please ensure a copy of the remittance advice is sent through to the Conference Secretariat.

Account Name: Australian Insurance Law Association 2013  
Bank: Australia and New Zealand Banking Group Limited (ANZ)  
BSB: 012-110  
Account Number: 3820-70409  
SWIFT Code: ANZBAU3M

• **Credit cards:** Visa, MasterCard, Amex and Diners.

*For delegates wishing to pay by credit card a merchant fee will be applied to the total. Visa (3.5% additional charge), MasterCard (3.5% additional charge), Amex (4% additional charge), Diners (4% additional charge).*

**Payment deadlines**

Registrations paid in full by 12 July 2013 secure the early bird registration rate. Registrations received between 13 July 2013 and 18 September 2013 must be paid in full before the start of the conference in order to receive the full registration entitlements.

Failure to adhere to the deadlines will result in your registration being automatically cancelled and the need to re-register for AILA2013.

**Cancellation policy**

Registration is binding. Cancellations will not be refunded. Substitute delegates will be accepted.

**Disclaimer**

Reasonable endeavours will be made to present the program as printed in this document. The conference and its agents reserve

the right to alter, without prior notice, any of the arrangements, timetables, plans or other items relating to the conference. The AILA2013 conference committee and the conference organisers are not liable for any loss or inconvenience caused as a result of such alteration.

Participants are advised to take out personal travel insurance and to extend their policy to cover personal possessions. The conference does not cover individuals against cancellation of bookings or theft or damage to belongings.

**Enquiries**

Please direct all registration and accommodation enquiries to:

AILA2013 Conference Secretariat  
C/O ICMS Australasia Pty Ltd  
GPO Box 3270 Sydney NSW 2001  
Australia

Tel: +61 2 9254 5000  
Fax: +61 2 9251 3552  
Email: registration@safeharbour2013.com

**Key dates and deadlines**

<b>End of early bird registration</b>	<b>12 July 2013</b>
<b>Accommodation booking deadline</b>	<b>7 August 2013</b>
<b>Conference</b>	<b>18 – 20 September 2013</b>



# Accommodation

A wide range of accommodation has been reserved for delegates and their guests at highly competitive rates. Rates quoted are per room per night and inclusive of 10% GST.

Accommodation bookings are subject to availability.

Hotel / Room Type

Rate  
incl GST

## Astral Tower and Residence

Deluxe Pyrmont View Room	\$240
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One Bedroom Apartment	\$315
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## The Darling

Darling Room	\$290
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## Novotel Darling Harbour Sydney

Pyrmont View Room	\$269
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Harbour View Room	\$289
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## Ibis Darling Harbour Sydney

Pyrmont View Room	\$189
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Harbour View Room	\$209
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## Adina Apartment Hotel Sydney

Studio Apartment	\$230
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One Bedroom Apartment	\$265
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You are encouraged to book your accommodation through the Conference Secretariat as soon as possible.

## Deposits

Accommodation will not be confirmed until a deposit of one night's tariff is received. This deposit will be forwarded to your hotel and will be credited to your room account. Delegates must settle the balance of their account with the hotel concerned upon check out. If accommodation deposits are not received before 7 August 2013 your room will be released back to the hotel. The Conference Secretariat does not take responsibility for accommodation if deposits are not received by this date.

## Deadline for accommodation bookings

The Secretariat has an obligation to return all unsold rooms to the hotels/apartments on 7 August 2013, therefore accommodation bookings and rates reserved after that date cannot be guaranteed. The rates quoted are only valid for bookings made prior to 7 August 2013.

Late bookings can be made through the Conference Secretariat after 7 August 2013, but are subject to availability and credit card details are required to secure the reservation. One night's accommodation tariff will be deducted from the supplied credit card, by the hotel, if the reservation is cancelled or the delegate fails to arrive on the specified date.



## Accommodation cancellations

No accommodation deposits will be refunded on or after 7 August 2013.

Delegates who confirm attendance and provide credit card details but do not advise of cancellation at least 6 weeks prior to the conference commencing will incur a one night accommodation charge.

## Early arrival

Most hotels do not allow check in until 3pm. It is possible that your room may not be ready if you check in earlier than this time. Whilst hotels will do everything possible to accommodate early arrivals, if you are arriving on an early flight and wish to be guaranteed immediate occupation you can pay an extra day's tariff for the night before you are due to arrive. If you wish to take this precaution, please advise the Conference Secretariat on the registration form so that we can notify the hotel that your room is pre-registered.

## Late arrival

Please indicate if you will arrive at your hotel after 6pm. Failure to do so may result in your room being released by the hotel.

## Change of accommodation booking

Prior to 13 September 2013 any change in booking must be made in writing to the Conference Secretariat and NOT directly to the hotel. After 13 September 2013 please contact the hotel directly for any changes to your booking.

## Group accommodation bookings

The Conference Secretariat offers organisations the opportunity to contract ten or more rooms for the conference. This requires a contract to be signed by ICMS Australasia and your organisation to block the group reservation.

For further information, please email the Conference Secretariat with the following information:

- Choice of hotel
- Number of rooms required
- Check in and out dates
- Organisation
- Contact name

# General Information

## Banks

Banks in Australia are open from 09:30h to 16:00h Monday to Thursday and 09:30h to 17:00h on Fridays. Most banks are closed Saturday and Sunday. Exchange facilities are available at the airport and most major hotels.

## Climate

September in Sydney is spring time and you can look forward to temperatures of approximately 22°C (68°F) during the daytime and 13.5°C (50°F) overnight.

## Shopping

Shops open from 09:00h to 17:30h during the week with late night shopping on Thursdays to 21:00h. On Saturdays and Sunday most stores are open between 09:00h and 17:00h.

## Travel and health insurance

We strongly recommend that you take out insurance to cover medical and travel expenses. If necessary, consult your travel agent.

Wheelchair access or other mobility disability access is available at the venue.

When you register, please notify the Conference Secretariat of any mobility disabilities you have so that any venue access challenges can be addressed.

## Eating out

Sydney's multi-cultural population is reflected in the wide variety of excellent restaurants offering a diversity of cuisine from around the world. Bistros, restaurants and cafes offer varied menus, prices and décor. Local seafood is recommended and includes Sydney rock oysters, king prawns, Balmain bugs and barramundi.

## Dress code

For the conference welcome reception, the dress code is smart casual. The conference gala dinner will be more formal and guests are asked to wear lounge suit.

## Transport from the airport

The conference does not provide any transfers from the airport to conference hotels.

All delegates must make their own transport arrangements from the airport. Taxis can be taken at ranks at Sydney Airport. The taxi ride from the airport to the Sydney CBD can take about 35 minutes. The Airport Link rail service runs from approximately 05:00h until 24:00h, seven days a week, to and from the Domestic and International Terminals and all City Circle railway stations. For more information visit [www.airportlink.com.au](http://www.airportlink.com.au).

Public transport around Sydney's public transport network allows easy travel around the city. There are direct trains from the city to many state-wide destinations, as well as buses and ferries from Circular Quay.

All public transport timetables, fare and route information is available from [www.131500.info](http://www.131500.info).

## Contact us

AILA2013 Conference Secretariat  
ICMS Australasia Pty Ltd  
GPO Box 3270  
Sydney NSW 2001  
Telephone: +61 2 9254 5000  
Fax: +61 2 9251 3552

## General enquiries

Email: [info@safeharbour2013.com](mailto:info@safeharbour2013.com)

## Registration and accommodation enquiries

Email: [registration@safeharbour2013.com](mailto:registration@safeharbour2013.com)

## Sponsorship and Exhibition enquiries

Email: [thomash@icmsaust.com.au](mailto:thomash@icmsaust.com.au)





# Program

To see all invited speakers [click here](#)

## Tuesday 17 September

9.00am - 12.00pm AIDA Executive Meeting (AIDA delegates only)

### 12.00pm - 2.00pm Lunch

2.00pm - 3.00pm AIDA Presentation - Origins, growth and development of AILA (AIDA delegates only)

3.00pm - 5.00pm AIDA Presidential Council Meeting (AIDA delegates only)

## Wednesday 18 September

9.00am - 4.00pm **AIDA Working Party Sessions (optional for AILA delegates)**

Distribution of Insurance Civil Liability Consumer Protection	Reinsurance Climate Change Motor Insurance	New Technologies, Prevention and Insurance Personal Insurance and Pensions
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AILA 2013 Commences			
4.15pm - 5.30pm	<b>Harbourlight Session A: Insurance Trends in Asia</b> Ilan Roberts, Clyde & Co, Singapore Jonathan Miles, JLT Re Asia Robert Crittenden, DLA Piper, Sydney Will Harrison, DLA Piper, Hong Kong	<b>Harbourlight Session B: NDIS Update: Where to from here?</b> David Bowen, NDIS Launch Transition Agency Mary Maini, Insurance Australia Group	<b>Harbourlight Session C: Directors' and Officers' Liability - Looking for a safe harbour</b> Jeremy Scott-Mackenzie, AIG Australia Limited Naseema Sparks, Non-Executive Director

6.00pm - 8.00pm Conference Welcome Reception  
Museum of Contemporary Art, Circular Quay

Sponsored by **JarmanMcKenna**

## Thursday 19 September

7.30am - 8.30am Registration

8.30am - 9.00am **Welcome and Conference Opening**

Andrew Klein, MC  
David Lee, President AILA  
Michael Gill, President AIDA

9.00am - 9.40am **Keynote - View from the Bench**

The Honourable Chief Justice Tom Bathurst, Supreme Court of New South Wales

9.40am - 10.20am **Keynote - View from the Insurer**

Daniel Fogarty, CEO, Zurich General Insurance

### 10.20am - 10.50am Morning Tea

10.50am - 11.30am **Keynote - View from the Broker**

Dallas Booth, CEO, National Insurance Brokers Association

11.30am - 12.30pm

### **Essential Industry Guide to Claims and Circumstances**

André Louw, JLT  
Fred Hawke, Clayton Utz  
Cathie Thompson, Vero  
Brett Jordan, AIG Australia Limited  
Chair: Peter Nickerson, Berkley Re Australia

**12.30pm - 1.45pm**

### **Lunch**

1.45pm - 2.45pm

### **Dire Consequences of Consequential Loss**

Greg Sutton, MSM Loss Management  
George Karalis, Willis  
Andrew Thomas, Cerno  
Rehana Box, Ashurst  
Chair: Peter Nickerson, Berkley Re Australia

2.45pm - 3.45pm

### **The Code of Practice - Self Regulation Unchained**

Ian Enright, Director, Academic and Lawyer

**3.45pm - 4.15pm**

### **Afternoon Tea**

4.15pm - 5.00pm

### **The New Sutton on Insurance Law - Insurance Law for the Third Millennium**

Professor Rob Merkin, University of Exeter, United Kingdom; Consultant, Norton Rose  
The Hon Michael Kirby AC CMG  
Ian Enright, Director, Academic and Lawyer

Sponsored by  THOMSON REUTERS

5.00pm - 5.15pm

### **Spotlight on Young Professionals**

6.15pm

Dinner Transport Available

7.00pm - Midnight

Conference Gala Dinner – Doltone House Hyde Park

Sponsored by  GilchristConnell

## Friday 20 September

9.00am - 9.45am

### **Network Security and Privacy – Cyber Insurance, the New Must-Have Policy**

Andrew Taylor, Chubb Insurance Company of Australia Limited  
Paul Black, Verizon

9.45am - 10.30am

### **Insurance Contracts Act – Not for Dummies**

Peter Mann, Clayton Utz  
Mathew Kaley, Allianz Australia

**10.30am - 11.00am**

### **Morning Tea**

11.00am - 11.45am

### **The ABC of Reinsurance – A is for Aggregation and Allocation...**

Colin Croly, Secretary General of AIDA  
Jorge Angell, L.C. Rodrigo Abogados  
Michelle Oosthuizen, Swiss Reinsurance Company

11.45am - 12.45pm

### **Emerging Risks – Known Unknowns in an Unsafe Harbour**

Noel MacCarthy, Liberty International Underwriters

12.45pm - 2.45pm

Closing Lunch

Sponsored by  JarmanMcKenna

### **AILA Continuing Professional Development Points**

12 CPD points, see the website for full details of individual associations, societies and institutions.

# Invited Speakers

# Conference Venue

## Keynote Speakers

### The Honourable Chief Justice Tom Bathurst



Thomas Frederick Bathurst was appointed Chief Justice of New South Wales on 1 June 2011. Graduating with degrees in Arts and Law from the University of Sydney in 1971, he went on to practise as a solicitor in 1972. He was admitted as a barrister in 1977, specialising in corporate law and litigation and was appointed Queen's Counsel in 1987. His considerable experience in corporate law saw his appointment as a member of the Australian Government's Takeovers Panel (2006-2011). Prior to his appointment to the bench, the Chief Justice served as President of both the Australian Bar Association (2008-2010) and the New South Wales Bar Association (2009-2011).

### Daniel Fogarty



Daniel has substantial executive experience in the Australian General Insurance market. He joined Zurich in 2009 to manage the SME & Packages business and was promoted to Chief Operating Officer in 2010, then Executive General Manager, Corporate in 2011. In July 2012, he became CEO GI Australia & New Zealand and was appointed to the Board of the Insurance Council of Australia in February 2013. Previously he held several Executive General Manager positions in general insurance during his 5½ years at Suncorp/Vero. Prior to that, during 15 years at Westpac, he had a variety of roles, including insurance, international and domestic banking. Daniel started his career at KPMG and is a Chartered Accountant and a Sloan Fellow with a Masters from Stanford University Graduate School of Business, California. He is also a Graduate Member, Australian Institute of Company Directors, a Fellow, Financial Services Institute of Australasia and a member of the Insurance Council of Australia Board.

### Dallas Booth



Dallas Booth is Chief Executive Officer of the National Insurance Brokers Association of Australia (NIBA), and has been in this role since July 2011. Dallas leads NIBA's industry representation efforts, and promotes the role and professionalism of brokers through NIBA College, the QPIB professional qualification and the Insurance Brokers Code of Practice. Dallas is also the publisher of the Insurance and Risk Professional magazine. Prior to NIBA Dallas was Chief Executive at Asbestos Injuries Compensation Fund Limited for 4½ years, and held senior positions at the Insurance Council of Australia for 8 years. Before ICA, Dallas was General Manager of the Motor Accidents Authority of NSW. Dallas is admitted as a Barrister at Law in New South Wales, is a Fellow of the Australian Institute of Company Directors, and had the honour of being the 2012 Geoff Masel Lecturer for AILA.

**To see all invited speakers click here**

## Conference Venue

The AILA2013 'Wide Exposure, Safe Harbour' conference sessions will be held at the stunning Doltone House at Jones Bay Wharf.

Doltone House Jones Bay Wharf is a unique heritage venue situated on the historic finger wharf at the recently restored Jones Bay Wharf, Pyrmont. It is a spectacular waterfront venue on the foreshore of Sydney Harbour, with views of the Harbour Bridge, city skyline and the Darling Harbour precinct.

Doltone House Jones Bay Wharf is within easy walking distance of the CBD restaurants, shopping and all the attractions that Sydney city has to offer. The venue may be accessed by boat, water taxi, ferry, light rail, bus or private transport. Parking is available directly across the road from the venue in the Jones Bay Wharf car park.

## AIDA Conference Venue

The AIDA sessions will be held at Doltone House Darling Island Wharf, Pyrmont. Situated directly across the road from The Star, a spectacular waterfront venue on the foreshore of Sydney Harbour, with views of the iconic Sydney Harbour Bridge and magical city skyline. Only minutes from the main conference venue of Jones Bay Wharf. The venue is within easy walking distance from the CBD. Ample parking is also available directly across from the venue.

## Gala Dinner Venue

The AILA 2013 gala dinner will be hosted at Sydney's most spectacular and eagerly anticipated new venue – Doltone House Hyde Park. This stunning heritage venue with uninterrupted views over Hyde Park is located in the heart of the city and will be a fitting location for the AILA 2013 gala dinner.



# Social Program

**The conference social program will be a time for delegates to catch up with old friends and meet new ones in a relaxed atmosphere, away from the hustle and bustle of the conference sessions.**

Top drawer venues, fine wines, delicious food and a relaxed atmosphere will provide unforgettable memories.

Please indicate your attendance at these social functions on the AILA2013 registration form.

## Welcome Reception

Sponsored by: **JarmanMcKenna**

Date: Wednesday 18 September 2013

Time: 6.00pm – 8.00pm

Venue: Museum of Contemporary Art

Dress: Smart Casual / Business Attire

Cost: Inclusive for full registrations. Please indicate on the registration form if you wish to attend this function.

Additional Tickets: \$99 including GST booked through the registration form.

## Conference Gala Dinner

Sponsored by: **GilchristConnell**

Date: Thursday 19 September 2013

Time: 7.00pm – midnight

Venue: Doltone House Hyde Park, Elizabeth Street

Dress: Lounge Suit

Cost: Inclusive for full registrations. Please indicate on the registration form if you wish to attend this function.



Additional Tickets: \$175 including GST booked through the registration form.

Transfers to the conference gala dinner will be available from The Star.

## Closing Lunch

Sponsored by: **JarmanMcKenna**

Date: Friday 20 September 2013

Time: 12.45pm – 2.45pm

Venue: Doltone House Jones Bay Wharf

Cost: Inclusive for full registrations. Please indicate on the registration form if you wish to attend this function.



