

MARITIME LAW ASSOCIATION  
OF AUSTRALIA AND NEW ZEALAND



## 49TH NATIONAL CONFERENCE

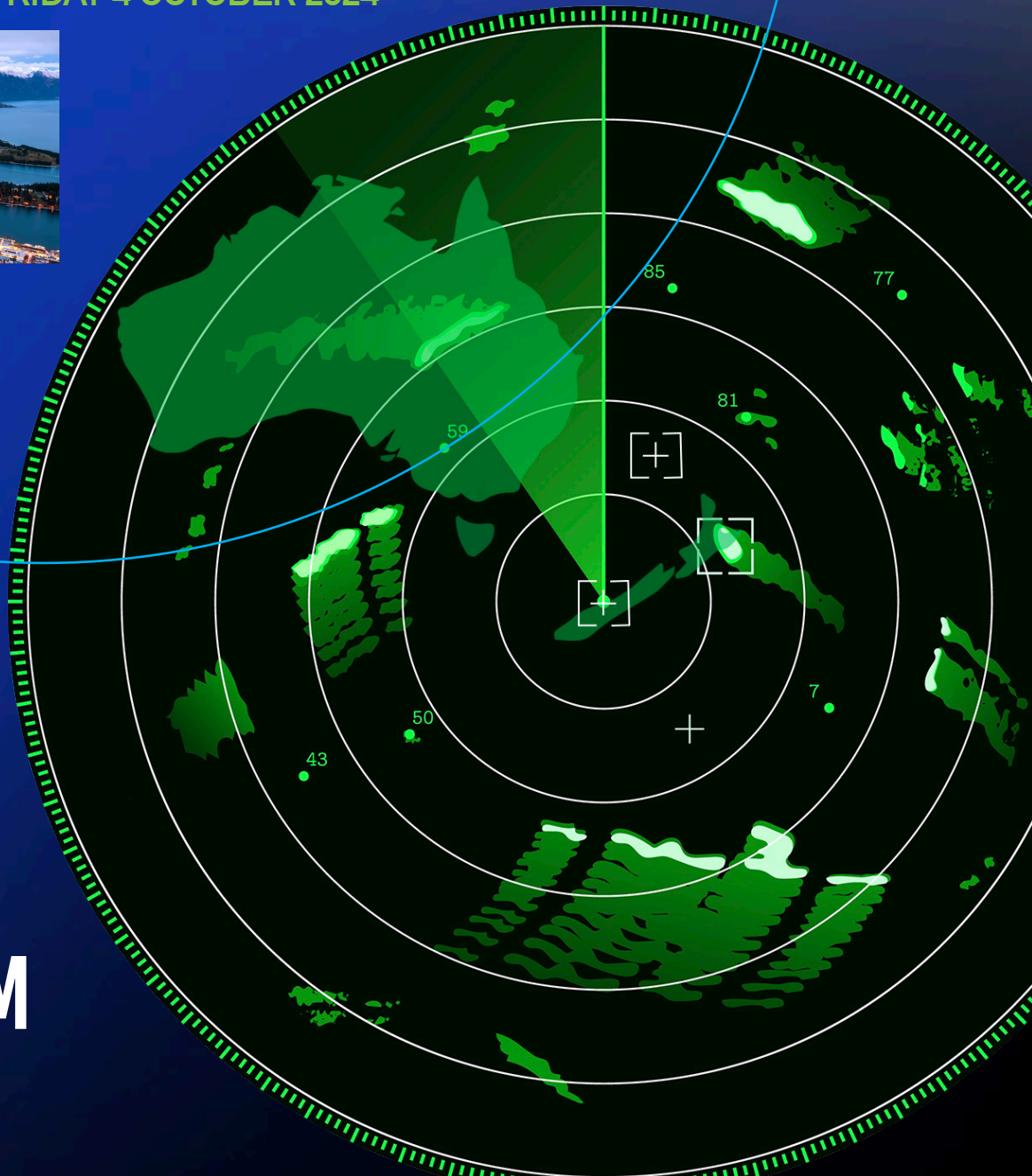
# LOOKING AHEAD:

## FINDING WAYPOINTS

WEDNESDAY 2 – FRIDAY 4 OCTOBER 2024



VENUE  
QT & RYDGES HOTEL  
QUEENSTOWN  
NEW ZEALAND



# PROGRAM



## 49th National Conference

### Wednesday 2 October

- 4:30-5:45pm Conference Registration
- 6:00-8:00pm **Welcome Function** - Conference Opening  
- Naraya Lamart, Partner,  
Wotton & Kearney, Australia  
Clancy's Room - QT/Rydges Lakeland Resort  
**SPONSORED BY WOTTON & KEARNEY**

### Thursday 3 October

- 8:30am **Registration and arrival tea and coffee**  
**COFFEE CART SPONSORED BY**  
**THOMAS MILLER (AUSTRALASIA) PTY LTD**
- 9:00am **Conference Opening and Welcome**  
**Introduction of Dethridge speaker**  
**Hamish Fletcher, MLAANZ President;**  
**Partner, Oceanlaw NZ, New Zealand**
- 9:15am **Dethridge Memorial Address**  
**John Gresson**, Director and Corporate Counsel,  
Matson South Pacific Ltd / Commander, RNZNVR  
(Maritime Trade Operations), New Zealand  
"Flags of (In)convenience"
- 10:00-10:30am **Morning Tea**

#### Session 1 10:30am-12:00pm

### Geopolitical Uncertainty and its Impact on Maritime Trade

**SESSION CHAIR** - *John Gresson, Director and Corporate Counsel, Matson South Pacific Ltd / Commander, RNZNVR (Maritime Trade Operations), New Zealand*

**Capt. John Kavanagh**,  
Principal Solicitor/Master Mariner & Maritime Auditor, Pacific Maritime Lawyers, Australia  
"Geopolitical Uncertainty and its impact on Maritime Trade"

**Matthew Flynn**,  
Consultant, LLB, McElroys, New Zealand  
"Navigating into Uncertain Waters?  
- Who bears the risk?"

**Dr Robin Bowley**,  
Senior Lecturer, University of Wollongong, Australia  
"The operation of force majeure clauses when sanctions impact on contractual performance: RTI Ltd v MUR Shipping BV [2024] UKSC 18"

- 12:00-1:15pm **Lunch**

## Program Overview

#### Session 2 1:15pm-2:45pm

### The Role of the Regulator – making the decisions

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**SESSION CHAIR** - *Sid Wellik, Principal, Oceanlaw NZ, New Zealand*

**Kirstie Hewlett**,  
Director and Chief Executive Officer at Maritime New Zealand, New Zealand  
"How Maritime NZ makes Regulatory Decisions - our Regulatory Approach"

**Honor Lanham**,  
Barrister, Shortland Chambers, New Zealand  
"The role of the regulator - making the decisions"

**Mary Dean**, General Counsel, Australian Maritime Safety Authority (AMSA), Australia  
"Decarbonisation and alternative fuels: plotting a course to achieve effective liability and compensation in the event of a maritime casualty"

- 2:45-3:15pm **Afternoon Tea**

#### Session 3 3:15pm-4:45pm

### Modernising Marine Insurance: Challenges and Opportunities

**SESSION CHAIR** - *Lachlan Boughton, Special Counsel Colin Biggers & Paisley, Australia*

**Colin Hunter**,  
Senior Associate, Hesketh Henry, New Zealand  
"Reforming Marine Insurance: will New Zealand's novel proposals work?"

**Naraya Lamart**,  
Partner, Wotton + Kearney, Australia  
"The Best Remedy for a Breach of Good Faith: a spoonful of law reform"

**Surani de Mel**,  
Head of Claims - Shipowners IGP&I, Singapore  
"Pollution Liabilities and P&I"

- 4:45pm **Close of Day 1**

- 4:45-5:30pm **AGM**

- 7:00-10:30pm **Conference Dinner** - 'The Grille' at Eichardt's Private Hotel, Queenstown



## 49th National Conference

### Friday 4 October

8:30am **Arrival tea and coffee**  
**COFFEE CART SPONSORED BY**  
**THOMAS MILLER (AUSTRALASIA) PTY LTD**

#### Session 4 9:00am-10:30am

### 100 Years of the Hague Rules and the next 100 years?

**SESSION CHAIR** - *Pat Saraceni, Director L&DR, Clifford Chance, Australia*

**Gregory Nell SC,**  
New Chambers, Australia  
"100 Years of the Hague Rules and the next 100 years?"

**Chante Fourie,**  
Solicitor, Hesketh Henry, New Zealand  
"Navigating the Hague Visby's - Burden of Proof and Article 3(2)"

**Michelle Taylor,**  
Partner, Maritime & Transport,  
Sparke Helmore Lawyers, Australia  
"A century of Hague Rules: out of tune, out of time?"

10:30-11:00am **Morning Tea**

#### Session 5 11:00am-12:30pm

### Jurisdictional disputes – necessary or just a search for advantage?

**SESSION CHAIR** - *Joseph Nicholls, Senior Associate, Wotton & Kearney, Australia*

**Paul Heath KC,**  
Bankside Chambers, New Zealand  
"Are Maritime and Insolvency Laws Compatible?"

**Ashwin Nair,**  
Director, Nair Legal, Australia  
"Restraining maritime actions: an evolving treatment of juridical advantage?"

**Morgan Brady,**  
Senior Associate, Tompkins Wake,  
New Zealand  
"Anti-suit injunctions in the Trans-Tasman"

12:30-1:45pm **Lunch**

## Program Overview

#### Session 6 1:45-3:15pm

### Maritime Commerce: Past and Future

**SESSION SPONSORED BY**  
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**SESSION CHAIR** - *Nikoletta Louverdis, Senior Associate, Sparke Helmore Lawyers, Australia*

**Professor Khylee Quince,**  
Dean of School of Law, Auckland University of Technology, New Zealand  
"Tangaroa Ara rau: The Hundred Pathways of Tangaroa"

**Professor Paul Myburgh,**  
Professor of Law, Auckland University of Technology, New Zealand  
"Grasping the MLETR: enhancing the legal ecosystem for electronic trade?"

**Matthew Harvey KC,**  
Barrister, Owen Dixon Chambers West, Australia  
"Breach of Charterparties, Hedging, and Assessment of Damages"

3:15-3:45pm **Afternoon Tea**

#### Session 7 3:45-5:15pm

### The continuing relevance of admiralty – effective admiralty practice and procedure

**PANEL CHAIR** - *Paul David KC, Barrister, Eldon Chambers, New Zealand*

#### PANEL MEMBERS

**Charles Street,**  
Barrister, Selborne Chambers, Australia

**"The FCA judges will report to and consult with the profession as the FCA Admiralty User Group"**

**Honourable Justice Stewart,**  
Federal Court of Australia, Australia  
"FCA Admiralty User Group"

**Honourable Justice Sarah C Derrington,**  
Federal Court of Australia, Australia  
"FCA Admiralty User Group"

5:15-5:30pm **Conference Close**

**Colin Hunter,**  
Senior Associate, Hesketh Henry, New Zealand  
MLAANZ Conference Committee Co-Chair

### Saturday 5 October

10:00am  
-5:00pm

#### Saturday Optional Activity

Queenstown Garden Loop - self directed walk followed by TSS Earnslaw Cruise and Gourmet BBQ at Walter Peak Farm

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