

CENTRE FOR MARITIME LAW

T.C. BEIRNE SCHOOL OF LAW

UNIVERSITY OF QUEENSLAND

ANNUAL REPORT 1999 - 2000

(Period 1 January 1999 to 31 October 2000)

Directors' Report

Formation

The Centre for Maritime Law was established as a Category 3 Centre within the T C Beirne School of Law, in the Business Economics and Law Faculty, in January 1999. As this is the first report, the reporting period is from establishment in January 1999 until the end of October 2000, some 21 months.

Teaching

Undergraduate Courses:

The CML coordinates the undergraduate offering in Maritime Law. The subject is offered as a fourth level elective and, in 1999, attracted 40 students and, in 2000, 23 students. The course was also offered in intensive mode in the summer semester of 1999. With the restructuring of the LLB curriculum within the T C Beirne School of Law, Maritime Law will be offered every second year in the first semester.

The Maritime Law Association of Australia and New Zealand awards an annual prize of \$500 to the top undergraduate student in Maritime Law. In 1999 the prize was won by Miss Avril Lattin and in 2000 by Mr Jeffrey Weeks. Both students are to be congratulated on outstanding results.

Postgraduate Courses:

The teaching emphasis of the CML is on postgraduate courses. Courses are available to students enrolled in the postgraduate law programs offered through the T C Beirne School of Law, namely the Juris Doctor (JD), Master of Laws, Master of Applied Law and Doctorate of Philosophy degrees. Courses will also be offered from 2001 to students enrolled in the Master of Marine Studies through the Centre for Marine Studies within the BACS Faculty.

In 1999 new courses were developed. The 'Introductory Maritime Law' course for postgraduate students was offered in the second semester and attracted 8 LLM students.

In 2000 the CML offered 'Legal Aspects of Naval Operations', 'General Maritime Law' and 'The Marine Environment and Marine Pollution'. All three of these courses were new and the first one had not been offered in an Australian University setting before and will be offered again as demand from the Defence Department indicates. Several scholars also completed research dissertations as a research, as opposed to a coursework,



Undergraduate Maritime Law Class 1999, Port of Brisbane with Sarah Derrington and Michael White

course. In all postgraduate courses, there is an emphasis on industry practice. Photographs of some of the course members are shown in the annexes to this Report.

The CML is fortunate to have guest lecturers with considerable practical as well as legal expertise involved in the delivery of their courses. The guest lecturers included Dr Edgar Gold, CM, QC, a co-chair of the CML Advisory Council, Professor Ivan Shearer, AM, Sydney University, Commander Robyn Warner, RAN, Defence Department, Canberra and Associate Professor Sam Bateman, AM, a former director of the Centre for Maritime Policy, University of Wollongong. Other guest lecturers were Ms Frances Hannah, Queensland University of Technology, Mr Stephen Dickens and Mr John Kavanagh, both from McCullough Robertson, lawyers, Mr Ernie van Buuren, Blake Dawson Waldron, lawyers, and Mr Jeffrey Hardy, Maritime Division of Queensland Transport. Professor Ove Hoegh-Guldberg and Dr Ian Tibbetts, both from the Centre for Marine Studies, also kindly lectured.

Many scholars, particularly from overseas, have sought to study with the CML in post-graduate degrees but have needed scholarship assistance to do so. Sponsors of post-graduate scholars would materially assist the educational work of the CML.

Seminars

The CML has hosted a number of seminars and short courses. The topics in these seminars included, "Admiralty Practice", "Liability for Oil Spills", "The Regulatory Framework for the Protection of the Marine Environment in Queensland", "Legal Aspects of Naval Operations" and "Marine Environment and Marine Pollution"; see Annex 4.

Research

Between January 1999 and October 2000, the academics from the CML have been responsible for a large number of publications and they have also supervised many scholarly works. In addition, members of the CML presented 12 papers at conferences organised by others, both in Australia and overseas.

The research activities of the CML have been enhanced by the work of the postgraduate students who are studying aspects of maritime law. The range of topics covered in students' dissertations is very broad and has involved such diverse matters as the requirement of an insurable interest in marine insurance contracts, the new Hague Convention on the Recognition and Enforcement of Foreign Judgments and the protection of Fairy Penguins from the discharge of liquid substances into Victorian seas.

The CML is also involved in the supervision of a number of PhD candidates, whose work continues. The details of this work are listed in Annex 5.

Editorial Positions

Dr White is on the editorial board of the *Journal of Maritime Law and Commerce* published quarterly by Jefferson Law Book Company, USA.

International Maritime Law Arbitration Moot Competition

The Inaugural International Maritime Law Arbitration Moot Competition was held by the CML, in conjunction with the Australian Institute of Foreign and Comparative Law, in July 2000. The topic of the moot involved a dispute over the carriage of goods by sea and was determined by arbitration conducted in accordance with the London Maritime Arbitrators Association Terms (1997). The competition attracted an international field of entrants and culminated in a final of a very high standard between the University of Hong Kong and the National University of Singapore. The overall competition was won by the National University of Singapore and the award for the best individual mooter was won by Ms Puja Kapai, a member of the team from Hong Kong.

The competition attracted quite significant sponsorship and interest from overseas universities. It will continue to be organised by the CML and, in 2001, will be hosted by the University of Hong Kong. It is coordinated by Dr Derrington.

Advisory Council

In the period under review an Advisory Council was established. The role of the Council is to advise the CML on its strategic direction and to encourage and facilitate consultancies and sponsorships from the marine, transport and trade industries. The Council met three times. Its membership at the end of October was:

Chair: Mr Brian Horwood

Vice-Chairs: Dr Edgar Gold, CM, QC; Commodore Sam Bateman, AM, RAN (Ret'd)

Members: Mr Stephen Dickens; Ms Marian Gibney; Ms Frances Hannah, Mr Neville MacPherson; Ms Anthe Philippides SC; Dr Russell Reichelt; Professor Ivan Shearer, AM; Captain John Watkinson. (Further detail of the Advisory Council members is set out in Annex 2).

Consultancies and Organisations

Members of the CML are active in providing their expertise to outside bodies. Both Dr White and Dr Derrington are members of the Advisory Council to the Australian Law Reform Commission's review of the *Marine Insurance Act 1909*. Dr White has also made submissions in relation to the review of the *Navigation Act 1912* being undertaken by the Commonwealth Department of Transport and regional Services.

Drs White and Derrington are both members of the Queensland Committee of the Maritime Law Association of Australia and New Zealand (MLAANZ) and on a number of its sub-committees. Dr White is a member of the Queensland Committee of the Australian Mining and Petroleum Law Association (AMPLA).

Dr White was an Australian representative to the International Law Association (ILA) committee on "Jurisdiction of Coastal States over Marine Pollution from Ships" that presented its final report to the ILA at the London Conference in July 2000. He is presently an Australian representative on the new ILA committee on the Seabed and international law. Dr White is also a foundation member of the Steering Committee of the Australian Marine Environment Protection Association (AUSMEPA) and on the committee of the AUSMEPA Public Fund.

International Linkages

Over the period under review and, indeed, before that period as well, the CML has established connections and contacts with other similar Centres and Schools. They include the following (listed alphabetically):

Tulane Maritime Law Centre, Tulane University, New Orleans, USA

Centre de Droit Maritime et Oceanique, Faculte de Droit et Sciences Politiques, Universitaire de Nantes, France

Institute of Maritime Law (IML), Southampton University, England

International Maritime Law Institute (IMLI), Malta

Malaysian Institute of Marine Law (MIMA), Kuala Lumpur, Malaysia

Ocean Institute of Canada, Dalhousie University, Canada

Qingdao Ocean University, Qingdao, China

Shipping Law Unit, School for Advanced Legal Studies, University of Cape Town, South Africa

South East Asian Program for Ocean Law Policy & Management (SEAPOL), Bangkok, Thailand

World Maritime University (WMU), Malmo, Sweden

During the period covered by this Report the CML has had the advantage of visits from many colleagues from overseas, including the visit on 16th October by a delegation in Australia from P.R. China; see photograph p.13)

Acknowledgments

The CML is very grateful to those people who have supported its establishment and activities and who continue to provide support, both financial and in other ways. In particular, the CML wishes to thank Mr Stuart Gregory, Mr David Searles and Mr Stephen Dickens of McCullough Robertson who have generously provided sponsorship of the Centre. The CML is also grateful for the establishment fund and strong support provided by the BEL Faculty



McCullough Robertson Lawyers –Presentation

Left to Right: David Searles, Sarah Derrington, Stephen Dickens, Michael White, Stuart Gregory, Tony Tarr

through the Executive Dean, Professor Ian Zimmer and the Head of the TC Beirne School of Law, Professor Tony Tarr.

Members of the Advisory Council, in Annex 2, also deserve particular thanks for the generosity they have shown in giving up their time to participate in the activities of the CML. Particular recognition is given to the Chairman of the Advisory Council, Mr Brian Horwood of Pacific Coal Pty Ltd, and the two Vice-Chairs, Dr Edgar Gold, CM, QC and Associate Professor Sam Bateman, AM. The support of Captain John Watkinson and the other officers of the Maritime Division, Queensland Transport has been most valuable. The CML has run joint seminars with the Maritime Division and has a close connection with its officers.

Attached to this Report by the Directors are further details of the activities of the CML.

In conclusion, the directors aim for the CML to make a significant and genuine contribution to the educational and general skills in the marine area to the Asia Pacific Region. They feel that a start in this aim has been made.



Dr Michael White QC

Executive Director

Dr Sarah Derrington

Director

Annexes

- Annex 1** Aims and Objectives of the CML
- Annex 2** Advisory Council
- Annex 3** Academic Members of the CML
- Annex 4** Seminars held by the CML
- Annex 5** Research and Publications
- Annex 6** Marine Courses
- Annex 7** Financial Report

Annex 1

Aims and Objectives of the CML

The aims of the CML and its members are:

- to promote teaching and research in all aspects of maritime law and the law of the sea
- to provide the legal profession, academia, law students and the marine and shipping industries with detailed information and specialist expertise relating to developments in, and the application of, maritime law and the law of the sea
- to monitor international developments in maritime law and to provide advice and expertise to governments on policy and legislation related to maritime law and the law of the sea
- to encourage and promote publications in all aspects of maritime law and the law of the sea
- to co-operate with other major centres in the University of Queensland and other major Australian and international centres to develop interdisciplinary policies, research and teaching
- to hold seminars and conferences, in Australia and overseas, to enable access by lawyers and the maritime community to emerging and developing areas of maritime law and law of the sea.



MLAANZ PRIZE 1999

LtoR: Dr Michael White, Dr Sarah Derrington, Professor Tony Tarr and Ms Avril Lattin (prize winner)



MLAANZ Prize 2000.

LtoR: Dr Sarah Derrington, Mr Jeffrey Weeks, Mr Robert Luxton, Qld MLAANZ President.

Annex 2

Advisory Council

The CML has an Advisory Council chaired by Mr Brian Horwood. Its role is to guide the strategic development of the CML and to assist the CML in obtaining research funding and consultancies from industry.

The members of the Advisory Council are:

- Mr Brian Horwood, Pacific Coal Pty Ltd (Chair)
- Commodore Sam Bateman, AM, RAN (Ret'd) (Co Vice-chair)
- Professor Edgar Gold CM, QC (Co Vice-chair)
- Mr Stephen Dickens, McCullough Robertson
- Ms Marian Gibney, MIM Ltd
- Ms Frances Hannah, Queensland University of Technology
- Mr Neville MacPherson, Shell Oil Australia Ltd
- Ms Anthe Philippides SC
- Professor Ivan Shearer AM, Sydney University
- Captain John Watkinson, Maritime Division, Queensland Department of Transport
- Dr Russell Reichelt, Director, CRC Reef Research



CML Advisory Council (L to R)

Back: John Watkinson, Frances Hannah, Neville MacPherson, Stephen Dickens, Sam Bateman

Front: Brian Horwood, Michael White.

Absent: Anthe Philippides, Ivan Shearer, Russell Reichelt



Edgar Gold



Marian Gibney

Annex 3

Academic Members of the CML

Dr Michael White QC

Reader and Associate Professor

BCom, LLB (Qld), PhD (Bond)

Michael White had a first career in the RAN where he served as a seaman officer at sea in Australian, Asian, Pacific and European waters. He resigned as a Lieutenant-Commander to study law and by reason of his naval experience is a Master Mariner. He was admitted as a barrister in 1974 and made Queen's Counsel in 1988. In practice at the Bar he concentrated on civil cases and had a special interest in Maritime Law. He has been in marine inquiries and is familiar with marine laws of a number of countries. He is a qualified mediator and has been engaged in mediations and arbitrations. His doctoral thesis was on the international conventions and their domestic law applications to marine pollution from ships. Dr White is the author of a number of legal articles on maritime and marine environmental matters and of the book *Marine Pollution in the Australasian Region* (Federation Press, 1994). He is the editor of *Australian Maritime Law* (Federation Press, 1st edition 1991; 2nd edition 2000) and joint editor of the "Shipping" section of the publication "Laws of Australia" (Law Book Co.). Dr White's lecturing includes maritime law, international law of the sea, marine environment, civil procedure, legal practice and advocacy in which fields he has studied and had practical experience. He has been a visiting scholar to a number of universities, including Queensland University of Technology, Wollongong University, in Australia and to Tulane University, USA, and Nantes University, France. As the foundation Executive Director of the CML he works closely with similar Australian and international bodies and with the UQ Centre for Marine Studies



Dr Sarah Derrington

BA, LLB (Hons), LLM, PhD Queensland

Dr Derrington teaches maritime law at undergraduate and post-graduate level. Her main area of research is marine insurance law and her PhD thesis was a comparative study of non-disclosure, misrepresentation and breach of warranty in contracts of marine insurance. She publishes regularly in the *Journal of Maritime Law and Commerce* and in the maritime law area of the *Laws of Australia* and the Butterworths' *Supreme Court Forms, Precedents and Pleadings*. She has also published in a number of other journals.



Dr Derrington continues to practice at the bar, exclusively in maritime matters.

Research Assistants

The CML has been privileged to have a series of exceptional Research Assistants over the period since its inception. Each of them has made a significant contribution before moving on to further their careers. Mr John Kavanagh was the first of the Research Assistants.

Mr John Kavanagh was born in Sydney, but raised in the port city of Newcastle, New South Wales. He first went to sea as a deck officer cadet with BHP Transport in 1988. He was educated at the Australian Maritime College in Launceston, Tasmania, graduating in 1992 with a degree in Nautical Science. He was also awarded the NMS Worcester Memorial Award for seamanship and ship operations. John served as a ship's officer with BHP Transport for more than 9 years. He travelled widely within the Pacific Rim and was a frequent visitor to South East Asia. John has experience of a wide variety of vessel types, including bulk carriers, oil tankers, LNG tankers and chemical tankers. Having achieved the rank of Second Mate, John left the sea in 1997 to concentrate on his studies in law. He graduated with honours from Deakin University in 1999. He is presently a trainee solicitor in the leading Queensland law firm, McCullough Robertson, in their Admiralty and Maritime Group. He will be eligible for admission as a solicitor in Queensland in 2001. John is a regular contributor of articles to *Australasian Ships and Ports Magazine* and is the



author of the article “The Law of Contemporary Sea Piracy”, appearing in the 1999 volume of the Australian International Law Journal. John is presently studying towards a Master of Laws degree at the CML where he is also an occasional lecturer in marine law.

Mr Franc Asís was born in Manila, Philippines. He attended university at the College of the Holy Cross in Worcester, Massachusetts, USA where he obtained a BA, with a double major in Economics and Modern Languages in 1968. Between 1969 and 1995 Franc was in various commercial businesses including working for Jardine Industries Ltd, Hong Kong, as the Operations Manager of one of their subsidiary companies operating a fleet of tourist vessels in the region, and the boutique investment banking firm of Donaldson, Lufkin and Jenrette, New York. He sold his business interests in 1995 and migrated to Australia with his family. In 1997 he enrolled at the Queensland Institute of Technology (QUT) and obtained a Graduate Diploma in Applied Finance in 1997. In 1998 he enrolled in law at the T.C. Beirne School of Law, University of Queensland, where he is completing his Juris Doctor degree. He has completed the Queensland Bar Practice course and expects to be admitted to the Queensland Bar in December 2000 after which he intends to enter private bar practice. Franc was recently appointed as the administrator of the Maritime Law Association of Australia and New Zealand (MLAANZ). He is also Assistant Secretary of the MLAANZ Queensland Branch.



Ms Janelle Donnelly (Environmental Planner) MAppLaw (in progress), Grad Dip AppSci (Environmental Management), BA (Urban Studies), MQELA, MMLAANZ.

Janelle Donnelly is a Master of Applied Law Student undertaking several projects offered by the Centre for Maritime Law, University of Queensland. During 2000, Janelle was a Research Assistant in the Centre for Maritime Law, Janelle is a member of the Maritime Law Association of Australian and New Zealand and Queensland Environmental Law Association. Janelle is also an environmental management consultant with international geotechnical engineering and environmental consulting firm, Golder Associates. She has several years experience in developing environmental policy and strategic plans in government and private sector organisation. Prior to joining Golder Associates, Janelle was a Liaison Officer for the Great Barrier Reef Marine Park Authority and Environmental Policy Officer for Melbourne Water Corporation.



Stephanie Schwabe Ph.D. BA in Geology, MSc in Earth Sciences, Ph.D. in Biogeochemistry, and currently working on a Juris Doctor at the University of Queensland with a focus on Environmental Law. She has 14 scientific publications in various scientific journals and is currently writing a book describing her work in cave science along with her many past exploratory and film expedition. **Member:** Fellow of the Royal Geographical Society, British Cave Research Group, Board Member of the International Technical Diving Association, UK. **Qualifications:** HSE Part IV Commercial Diver Licence and Diver Medic, PADI Dive Master, NAUI Dive Instructor, Nitrox Instructor, Cave Diving Instructor, Trimix Diver, Rebreather Diver, Gas Blender qualified and the Director of the Blue Holes Foundation. **Experience:** Eighteen Scientific expeditions to the Bahamas for Master and Doctorial research and film expeditions for NDR, German Television (The Mysterious Caves of the Bahamas), Fulcrum Production, BBC, UK (Amazing Earth VSH# 723197), and American television, World of Wonder and Discovery Animal Planet, Australian Television, Beyond Production Ltd. (Quest Series). Subject of a book due out October 2001, “Women in Discovery”.



Annex 4

Seminars Held by the CML

Marine Oil Spill Claims

Brisbane, 20 April 1999

In conjunction with the Queensland Department of Transport Maritime Division

Arrest of Ships and Oil Spill Claims

Cairns, 28 May 1999

In conjunction with the Queensland Department of Transport Maritime Division

Legal Aspects of Naval Operations

Brisbane, 17-27 January 2000

Marine Environment and Marine Pollution

Brisbane, 10-14 July 2000

The Need for an Australian Mercantile Marine

Brisbane, 5 October 2000

The Boulton Lecture; in conjunction with the Australian Company of Master Mariners

Annex 5

Research and Publications

Theses

DERRINGTON, S. 1999. "The Law Relating to Non-Disclosure, Misrepresentation and Breach of Warranty in Contracts of Marine Insurance, A Case for Reform", PhD, Supervised by Professor Gabriël Moens, University of Queensland, pp.469.

Books

WHITE, M., Editor, *Australian Maritime Law*, 2nd edition, Federation Press, Sydney, 2000.

Book Chapters

DERRINGTON, S. "Charter Parties". Revised chapter in *Australian Maritime Law*, 2nd edition, Federation Press, 2000.

WHITE, M. "Constitutional Background and Jurisdiction of Courts", revised joint chapter with Hon. Dr Howard Zelling, AO, CBE, QC, in *Australian Maritime Law*, 2nd edition, Federation Press, 2000.

WHITE, M. "Salvage, Towage, Wreck and Pilotage", revised chapter in *Australian Maritime Law*, 2nd edition, Federation Press, 2000.

WHITE, M. "Limitation of Liability", revised chapter in *Australian Maritime Law*, 2nd edition, Federation Press, 2000.

WHITE, M. "Prize, Prize Salvage, Bounty and Ransom", revised chapter in *Australian Maritime Law*, 2nd edition, Federation Press, 2000.

Journal Articles

DERRINGTON, S. "The Requirement of Inducement and the Concept of Materiality in Section 24 of the Marine Insurance Act 1909", (1999) *Insurance Law Journal*, (11), pp1-23.

DERRINGTON, S., WHITE, M. "Australian Maritime Law Update 1999", (2000) *Journal of Maritime Law & Commerce*, 31(3), pp.435-446.

DERRINGTON, S., WHITE, M. "Australian Maritime Law Update 1998", (1999) *Journal of Maritime Law & Commerce*, 30(3), pp.419-430.

WHITE, M. "Marine Pollution from Ships: The Australian Regime", 2000 *Currents: International Trade Law Journal*, Summer 2000, South Texas College of Law, USA.

WHITE, M. "Sensitive Marine Environments and the Regulation of Shipping: The Great Barrier", (2000) *Asia Pacific Journal of Environmental Law*, 4(3), pp.1-24.

WHITE, M. "Oil Spills are Always a Worry", (2000) *Reef Research*, 9(3), pp.5.

WHITE, M. "ITLOS: The First Two Classes", (2000) *International Law News*, 41, pp.8-17.

WHITE, M. "The New International Tribunal for the Law of the Sea", (2000) *Maritime Studies*, 105, pp.1-4.

WHITE, M. "Ship Arrest in Australia", (2000) *BIMCO Review 2000* pp157-160, The Baltic and International Maritime Council, London.

WHITE, M. "Offshore Craft & Structures: A Proposed International Convention", (1999) *Australian Mining & Petroleum Law Journal*, 18(1), pp. 21-27.

WHITE, M. "The 'Iran Amanat' Case and its Precedent", 1999, *Australian Ships & Ports*, June 1999, pp.32-33.

WHITE, M. Contributions to the series "People in the Law", in the Australian Law Journal, 1999 and 2000, Vols. 73 and 73. Contributions written on the appointment or retirement of de Jersey CJ, McMurdo P, Thomas JA and Jones, Chesterman, Wilson, Atkinson, Derrington, Douglas,, Dutney, Lee, Mullins, Shepherdson, Demack and Holmes).

WHITE, M. "Past Presidents of the Queensland Bar". Series of articles in *The Queensland Bar News*; May 1999 on "Sir Arnold Bennett QC" and December 1999 on "Tom Barry QC".

Conference and Seminar Papers

DERRINGTON, S. "A Brief Overview of Marine Insurance Law & Practice", *McInnes Wilson & Jensen Seminar Series No. 1*, University of Queensland, 19 April 1999.

DERRINGTON, S. "In Defence of the Reasonable Woman", *Pandora's Box, Women and the Law Seminar*, University of Queensland, July 1999.

DERRINGTON, S. "Recent Developments in Australian Marine Insurance, *International Shipping & Trade Seminar*, McCullough Robertson, Brisbane, 8 December 1999.

DERRINGTON, S. "Arrest of Ships and Oil Spill Claims", *The Centre for Maritime Law & Queensland Transport Maritime Division Seminar*, University of Queensland, 28 May 1999.

DERRINGTON, S. "Marine Insurance – Proposals for Reform", *26th Annual General Meeting and Conference of the Maritime Law Association of Australia & New Zealand*, Canberra, 25-29 September 1999.

DERRINGTON, S. "Marine Insurance Law Update", *McInnes Wilson & Jensen Seminar Series No. 1*, University of Queensland, 5 April 2000.

DERRINGTON, S. "Marine Insurance – Recent Developments", *Insurance Law Seminar Series*, University of Queensland, 29 July 2000.

DERRINGTON, S. "Commentary to a paper delivered by Ian Davis, Commissioner, Australian Law Reform Commission – Reform of the Marine Insurance Act, Options and Constraints", *27th Annual General Meeting and Conference of the Maritime Law Association of Australia & New Zealand*, Queenstown, 5-10 August 2000.

WHITE, M., "The Desirability of a Proper Legal Framework for National and International Fisheries", *Asia-Pacific Fishing Conference*, Cairns, Queensland, 6-7 July 1999, Baird Publications.

WHITE, M., "International Conventions & Australian Legislation" *Marine Oil Spill Claims Seminar*, Brisbane, 20 April 1999.

WHITE, M. "When to Arrest", *Ship Arrest & Oil Spill Claims Seminar*, Cairns, 28 May 1999.

WHITE, M., "International Aspects of Marine Law", *McInnes Wilson & Jensen Seminar Series*, Brisbane, 1999

WHITE, M. "Oil Spills: Claims handling and the Impact of SCOPIC" *International Trade & Shipping Seminar*, McCullough Robertson, Brisbane, 8 December 1999.

WHITE, M. "Legal Regimes in the Pacific Island Countries: Existing Situation and Development", *The Prevention of Marine Pollution in the Asia Pacific Region*, Conference organized by Environment Australia and the IMO, Townsville, 8-12 May 2000.

WHITE, M. "Oil Spill Claims – How to make and resist them", *27th Annual General Meeting and Conference of the Maritime Law Association of Australia & New Zealand*, Queenstown, 8 August 2000.

Advisory Boards & Councils

DERRINGTON, S. Australian Law Reform Commission Advisory Board on the "Marine Insurance" Reference

WHITE, M. Advisory Board of the *Journal of Maritime Law and Commerce*, publisher Jefferson Law Book Company, Maryland, USA.

WHITE, M. Australian Law Reform Commission Advisory Board on the "Marine Insurance" Reference

Research

PhD Theses-Supervision

CHACKO, S. "A Model Law of General Insurance based on the laws of Singapore, Australia, England and Canada"

Supervisor Dr Sarah Derrington

HANNAH, F.M. "Marine Cargo Liability Regimes: Australian Policy and Law"

Supervisor Dr Michael White

Associate Supervisor Dr Sarah Derrington

Master of Laws and Master of Applied Law dissertations (Research and Course Work dissertations)

ANDERSON, C. “The Great Barrier Reef and Regulation of the Maritime Transport Industry – Are we Meeting our Objectives?”

Supervisor Dr Michael White

ASIS, F.D. “The Constructive Total Losses in Contracts of Marine Insurance: A Comparison of U.S. and English Law”

Supervisor Dr Sarah Derrington

BAXTER, P. “Ship Arrest in Australia: Local Developments, Global Trends and Commercial Imperatives”

Supervisor Dr Sarah Derrington

BEVERIDGE, R.L. “Submarine Passage: The Law of the Sea”

Supervisor Dr Michael White

BUCHWALDT, J. “From Hague to Hamburg – Applicability and Liability of the Rules”

Supervisor Dr Sarah Derrington

BUTLER, S. “Who Can Protect the Fairy Penguins? – An Examination of the Law Affecting the Discharge of Liquid Substances into Victorian Seas”

Supervisor Dr Michael White

DONNELLY, J.M. “Marine Pollution Prevention in the South Pacific Area”

Supervisor Dr Michael White

DONNELLY, J.M. “Australian Regulation of Land-Sourced Pollution of the Marine Environment”

Supervisor Dr Michael White

DONNELLY, J.M. “Can the Commonwealth Legislative Reforms Protect the Marine Environment?”

Supervisor Dr Michael White

DONNELLY, J.M. “Sea Dumping in Australia: A Review of Existing Policy and Statutory Controls”

Supervisor Dr Michael White

FEARON, R. “Queensland and Commonwealth Legal Powers for Managing the Introduction of Marine Pest Species Transported via Hull Fouling”

Supervisor Dr Michael White

FEARON, R. “Current Legislation and Recent Prosecutions dealing with Pollution of State Waters in Queensland and New South Wales”

Supervisor Dr Michael White

FEARON, R. “Environmental Law and the Prevention of Ship-Sourced Pollution in the South Pacific Region: Implementation of MARPOL 73/78 and the London Convention in South Pacific Island Countries”

Supervisor Dr Michael White

JESBERG, G. “Marine Pollution in Queensland Coastal Jurisdictions”

Supervisor Dr Michael White

HEISER, A. “The Reform of the Warranty Provisions of the Marine Insurance Act 1909 (Cth)”

Supervisor Dr Sarah Derrington

KAVANAGH, J. “Indemnity Insurance for Bunker Oil Spills”

Supervisor Dr Michael White

KAVANAGH, J. "When is a Ship's Speed Safe? The Role of Safe Speed in the International Regulations for Preventing Collisions at Sea"

Supervisor Dr Michael White

LERCH, W. "The Development of Special Compensation Clauses in Contracts for Salvage"

Supervisor Dr Michael White

LUCAS, G.P. "Differentiating Waste Dumping and Resource Recovery: Basel Convention Ten Years On"

Supervisor Dr Michael White

MOSQUERA, P. "Recognition and Enforcement of International Maritime Claims: The New Hague Convention and the Australian Experience"

Supervisor Dr Sarah Derrington

MOSQUERA, P. "Resolution of International Maritime Disputes: Arbitration/Mediation"

Supervisor Dr Sarah Derrington

PAPP, A. "Queensland's Marine Safety Laws: An Analysis of Efficacy, and Interdisciplinary Assessment of the Regulatory Approach"

Supervisor Dr Michael White

SCHWABE, S. J. "Land-Based Pollution Protocols: Can They Work?"

Supervisor Dr Michael White

TAYLOR, M. "The Requirement of Insurable Interest in the Marine Insurance Act"

Supervisor Dr Sarah Derrington

TAYLOR, M. "A Comparative Study of International Conventions and Ratifying Legislation dealing with Liability and Compensation with Respect to Marine Pollution"

Supervisor Dr Michael White

VAN LIESHOUT, R. "Port State Control and the Detention of Ships"

Supervisor Dr Michael White

WEERATNE, S. "Ship-sourced Oil Pollution and the Remedies Sought Against it by International Conventions; with a detailed Study of Sri Lanka's Policy Towards It"

Supervisor Dr Michael White

External Universities - Supervisor

KHADJIEV, B "Jurisdiction over the Caspian Sea"

Central University of Europe, Hungary.

External Supervisor Dr Michael White



China Delegation of marine regulatory bodies visit to University of Queensland on 16th October 2000

Annex 6

Marine Courses

The courses (subjects) offered over the period 1999 and 2000 and planned to be offered in the maritime law concentration over the next two years are:

1999	Semester 1	Winter Intensive	Semester 2	Summer Intensive
	Maritime Law (LA432)	General Maritime Law (LA893)		Legal Aspects of Naval Operations (LW811)
2000	Semester 1	Winter Intensive	Semester 2	Summer Intensive
	Maritime Law (LA432/LA766 LA855)	International Maritime Law Arbitration Moot (1 - 6 July) In Brisbane, UQ The Marine Environment & Marine Pollution (LA895) (10-14 July)	International Commercial Arbitration Law (LW809) (from 10 July)	
2001	Semester 1	Winter Intensive	Semester 2	Summer Intensive
	Admiralty Jurisdiction & Practice (LAWS7863/ 7663) (Intensive Fri 2 nd – Mon 5 th Feb)	International Maritime Law Arbitration Moot (LAWS5161/7161) In Hong Kong The Marine Environment & Marine Pollution (LAWS7867/7667)	International Law of the Sea (LAWS 7866/ 7666)	Legal Aspects of Naval Operations (LAWS7877/ 7677)
2002	Semester 1	Winter Intensive	Semester 2	Summer Intensive
	Maritime Law (LAWS5160/ 7160/7834/ Commercial Maritime Law	International Maritime Law Arbitration Moot (LAWS5161/7161) In Brisbane The Marine Environment	General Maritime Law (LAWS7865/ 7665)	Advanced Marine Insurance Law (LAWS7862/7634) 7662)

(LAWS7876/ & Marine Pollution
7676) (LAWS7867/7667)

At the undergraduate level, the following courses are offered that are relevant to maritime law: Maritime Law; International Commercial Maritime Arbitration Law; Public International Law; International Commercial Arbitration Law

At the post-graduate level the Law School offers a wide range of courses that complement those offered in the marine area.

Annex 7

Financial Report

The BEL Faculty provided a seeding grant and the proposal was and is that the CML should be self-supporting from its own programs and other activities. It is expected that support will steadily grow over about a decade for larger support for its courses and industry short courses. Major financial support is given by McCullough Robertson, solicitors, who are the principal sponsors of the CML. The agreement with McCullough Robertson is to review the matter annually, but with a basic aim of a 3 year support with an option for a further 3 years. The support is from the partners, especially by Messrs David Searles and Stuart Gregory, with Mr Stephen Dickens being the head of the maritime law section in the firm. The CML funds have been augmented by seminars and intensive courses.

Expenditure has been mainly to pay for the Research Assistants, to assist Drs White and Derrington to attend seminars and conferences and in subscriptions for professional bodies' literature. This financial assistance is critical to the impact and communication of the existence and activities of the CML.

The finances are organized under three accounts. The main CML accounts relates to most of the CML activities; the CML Moot Competition account relates to the Moot Competition income and expenditure and the Uniquest Pty Ltd account relates to the consultancy and similar activities where Uniquest has been used.



Marine Environment Law Course July 2000

L to R : Back Row: Rob Fearon, Bill Grenacs, Gary Lucas, John Kavanagh, Stephanie Schwabe, Mitchell Smith, Bryant Roberts

Centre Row: Janelle Donnelly, Caryn Anderson, Vanessa Coverdale, Angeline Thompson, Anthony Heiser

Front Row: Michael White, Sam Bateman



Legal Aspects of Naval Operations Course January 2000

L to R. Back Row: Nathan Brunt, Peter Baston, Adam Johnson, James Renwick, Ian Campbell, Stuart Lowe

Front Row: Robert Hume, Robin Warner, Michael White, Jane Probert, Robert Beveridge

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