

CENTRE FOR MARITIME LAW NEWSLETTER

T C BEIRNE SCHOOL OF LAW
UNIVERSITY OF QUEENSLAND



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CML Activities

Since the publication of Issue No. 1, 1999, the CML has been busy with courses and other activities. The courses are referred to on page ... and it is pleasing to note that at both the undergraduate and the post-graduate subjects continue to receive complimentary comments as to their depth and practical use. This is, of course, as we would wish it as the whole purpose of the CML is to provide education and insight into the importance of the maritime law and the law of the sea to Australia and to the Asia Pacific Region.

As to the future, the program is set out on page ... However, attention is

drawn to two major initiatives for this year. The first is the conference entitled "As Australian Shipping Policy", which is to be held in Brisbane on Thursday 22 June 2000. This conference will bring together major players in the industry and government to debate what Australia's present policy is, if there is one, and what it should encompass.

The second initiative is the one week short course, combined with the CML post-graduate course, which is to be held in Brisbane over the week 3-7 July. This course offers to a wide range of interests to persons who have any interest in policy or management of the marine environment, with special focus on the problems of the Great Barrier Reef. More details are on page ...

etc...

The New Legal Operations Course

Over the two week period commencing Monday ...January 2000 the CML and the Defence Department combined to hold a first for Australian in the course entitled “Legal Aspects of Naval Operations”, at the Customs House, Brisbane. This course was timely, as the Australian Defence Force legal officers were at the time coming to grips with the problems of the marine aspects of the Interfet operations in East Timor. The course instructors were Professor Ivan Shearer, a world leader in this area, and Commander Robin Warner, RAN, who has made a specialty on the law of the sea.

The course revealed a number of areas in which the Australian public law of the sea relating to marine operations need further attention. The course was a university course, and was open to any student who qualified, of which some took the subject as part of their Master of Law course and others treated it as a short course for honing legal skills. The course will be offered again from time to time as the occasion demands.

HERE INSERT PHOTO OF COURSE
– WITH NAMES UNDERNEATH

General Maritime Law Intensive

Also in January 2000 the CML conducted the T.C. Beirne School of Law course, LA89., “General Maritime Law”. This two week intensive offered an opportunity to students to improve their post-graduate skills in the “wet” side of maritime law. The topics of .. and ... were all dealt with. Students are assessed with a dissertation on a suitable maritime subject of their choosing of 8,000 – 10,000 words.

The LLB Undergraduate Course Semester 1, 2000

A record enrolment of the LLB course of “General Maritime Law” saw the commencement of the new academic year at the T.C.Beirne School of Law with Dr Sarah Derrington as the course coordinator. IN this course the students, who are all in the final phases of the long, usually two degree, course study an overview of maritime law, marine environmental law and the law of the sea. The width of the course gives an excellent concept the class so that, when they meet aspects of this area of policy, management or practice in future years they will have a knowledge of the outline.

HERE INSERT PHOTO OF THE
CLASS

FUTURE COURSES

.....here insert details of the remaining courses for 2000

goods by sea and will be conducting the arbitration in accordance with the rules of the London Maritime Arbitrators' Association. Spectators will be welcome at the final which will be held in the evening of 6 July 2000.

Any enquiries concerning the competition, including late registrations, can be directed to the Moot Director, Dr Sarah Derrington (07) 3365 3320; s.derrington@mailbox.uq.edu.au.

INTERNATIONAL MARITIME LAW ARBITRATION MOOT BRISBANE, AUSTRALIA 1 JULY - 6 JULY 2000

A JOINT VENTURE OF THE CENTRE FOR MARITIME LAW AND THE AUSTRALIAN INSTITUTE OF FOREIGN AND COMPARATIVE LAW WITHIN THE T C BEIRNE SCHOOL OF LAW AT THE UNIVERSITY OF QUEENSLAND

The T C Beirne School of Law will be hosting this exciting new competition in July this year. Five teams have already entered including the University of Hong Kong, the National University of Singapore and Marquette University, Milwaukee. An internationally distinguished panel of arbitrators is being assembled and it is anticipated that the competition will be of a very high standard. The students will be dealing with a problem concerning the carriage of

News

New IMO Vision

The Assembly of the International Maritime Organization approved the work program for the next biennium and long term objectives for the 2000s, some of which are as follows:

- Shifting emphasis onto people;
- Ensuring effective and uniform implementation of existing IMO standards and regulations;
- Addressing safety and environmental issues, to the extent feasible, by ship type with particular emphasis on passenger ships and bulk carriers;
- Developing a safety culture and environmental conscience in all activities undertaken by the Organization;
- Avoiding excessive regulation; and
- Strengthening the Organization's technical co-operation programmes.

Souce: Australian Maritime Digest, No 76; 1 December 1999

RECENT LEGISLATION

Commencing on 16 July 2000, the new *Environment Protection and Biodiversity Conservation Act 1999 (EPBC)* will replace a number of Commonwealth environmental statutes including the *Environment Protection (Impact of Proposals) Act 1974 (EPIP)*.

The aim of the new Act is to clarify and define the environmental responsibilities of the Commonwealth. The EPBC confines Commonwealth involvement in environment decision making to proposals affecting 'matters of national environmental significance' (NES).

'Matters of NES' are defined by the Act to include: World Heritage properties; nominated wetlands of international importance; nationally threatened animal and plant species, ecological communities; internationally protected migratory species; Commonwealth Marine Areas and 'nuclear actions'. Actions with significant impacts upon these areas will require approval and may require assessment.

Qd new regs about sewage from ships...

RECENT BOOKS AND PUBLICATIONS

The following is a brief outline of recently published books of interest in the maritime law field.

De la Rue and C Anderson *Shipping and the Environment*, 1998, LLP London & Hong Kong, RRP ..pounds

The major new book on the marine environmental laws and shipping is by Colin de la Rue and Charles Anderson,

published by Lloyd's of London. With a total size of over 1,200 pages, the tome is large, but it had to be to cover the immense field of scholarship contained in it. Colin de la Rue is a partner in the large London shipping firm of Ince & Co, and Charles Anderson is a New York Attorney.

Between them the authors cover the field of marine pollution in five Parts and 14 appendices. Part I addresses liability and compensation for oil pollution damage; Part II Compensation for damage by hazardous and noxious substances; Part III Admissibility and assessment of claims; Part IV the Law relating to particular parties and Part V Prevention, reduction and control of marine pollution (including the international conventions and criminal liability for oil spills). The appendices have many of the international conventions reprinted and also the LOF 1995 Salvage Agreement.

In all, this is an essential book for the continually growing field of protection and preservation of the marine environment from shipping.

There is only one Australian book devoted to this topic (*White Marine Pollution Laws of the Australasian Region*, 1994, Federation Press) and it does not address the USA and UK law in the same date as the de la Rue and Anderson book.

This book comes highly recommended. In Australian copies may be ordered from

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other books – taken from the Jo of Mar Law & Commerce recent edition

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PERSONNEL

Mr Franc De Asis joined CML as Projects Director and Research Assistant from May 1999. Franc is a Bachelor of Arts (Economics) graduate of the Holy Cross College in Worcester, Massachusetts and had an independent career in international commerce before studying law.

Franc recently obtained a Postgraduate Diploma in Applied Finance from the Queensland University of Technology and is in his final year of the Juris Doctor degree at the University of Queensland.

Franc has been admitted as a student-at-law by the Queensland Barristers' Board and intends to seek admission to the Bar upon completion of the academic requirements.

HERE INSERT PHOTO

JANELLE DONNELLY

Ms Janelle Donnelly has recently joined CML as a part-time Research Assistant. Janelle is completing a Master of Applied Law with the University of Queensland and is undertaking several research units in marine pollution law.

Janelle has a Bachelor of Arts (Urban Studies) and a Graduate Diploma of Applied Science (Environmental Management) and previously worked at the Great Barrier Reef Marine Park Authority. More recently, Janelle was a Senior Environmental Planner with international geotechnical engineering and environmental consulting firm, Golder Associates.

COMING EVENTS

MARSIM 2000

May 08-12 Location: Orlando, Florida, USA

Contact: Captain Harry J. Crooks
Tel: + 419 255-3940 Fax: + 419 255-8833

IT In The 21st Century - A Growth Engine For The Millenium

May 16-17 Location: Singapore

Contact: Jason Tseng
Tel: (065) 325-2386 Fax: (065) 325-2395

2000 National Conference

May 17-19 Location: New York City

Contact: contact Marilyn Gay
Tel: 212 645-9031 Fax: N/A

ASNE DAY 2000 (Amer. Soc. of Naval Engrs Annual Meeting)

May 17-19 Location: Arlington, VA USA; Hyatt Regency Hotel

Contact: ASNE Headquarters; Attn: ASNE Day 2000; 1452v Duke
Tel: 703-836-6727 Fax: 703-836-7491

JUNE 2000

Ship Structures for the New Millenium

June 13-14 Location: Arlington, VA USA; Doubletree Hotel Pentagon City

Contact: ASNE Hq; 1752 Duke St., Alexandria, VA USA 22314
Tel: 703-836-6727 Fax: 703-836-7491

Marine Money's 11th Annual Ship Finance Forum

June 20-21 Location: New York, New York, USA

Contact: Matt McCleery
Tel: 203 406 0106 Fax: 203 406 0106

CMI Colloquium

17 - 20 September 2000

Hotel Beatriz

Toledo, Spain

- o Ratification and implementation of Maritime Conventions

- Issues of Transport Law
- Marine Insurance and General Average
- Current issues of International Maritime Law

Organised by the Spanish Maritime Law Association in conjunction with the Comité Maritime International.

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