

# Legal and Liability Committee

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## Chairman's Report Andrew Garger

# Composition of the Committee

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- **Mr. Arno Kneefel (the Netherlands)**
- **Mr. Andrew Garger (USA)(Chairman)**
- **Mr. Nimbe Oviosu (Nigeria)**
- **Mr. Kurt Günthart (Switzerland) (Vice Chairman)**
- **Mrs. Pirjo Pöyhönen (Nordic Pool)**

# Composition of the Committee (continued)

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- **Mr. Sohei Hashisaka (Japan)**
- **Mr. Massimo Spadoni (Italy)**
- **Mr. Colin Sprott (Lloyd's, UK)**
- **Mr Kalambur Srinivasan (India)**
- **Mr. Haakon Stang Lund (Norway)**
- **Mr. Stephen Barr (Lloyd's, UK)**
- **Mr. Mr. Frederic Denéfle (France)**
- **Wilfred van Gompel (Belgium)**

# UNCITRAL/CMI Draft Instrument for the Carriage of Goods by Sea

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- Meetings of the UNCITRAL Transport Law Working Group in December 2004 and April 2005
  - Key issues discussed
  - Freedom of contract and scope of application
  - Jurisdiction and Arbitration
  - Electronic Commerce

# UNCITRAL/CMI Draft Instrument for the Carriage of Goods by Sea

- Upcoming meeting in Vienna in November 2005
- ## Topics
- Right of Control
  - Transfer of Rights
  - Jurisdiction and Arbitration
  - Delivery of Goods
  - Shipper's Obligations

# UNCITRAL/CMI Draft Instrument for the Carriage of Goods by Sea

- OUTLOOK
  - Progress has been substantial
  - Third reading Fall 2006
  - Draft Instrument to full Commission Summer 2007?
  - Draft Instrument to U.N. General Assembly for formal adoption Fall 2007

# Terrorism Risk Insurance Act

- TRIA set to expire December 2005
- Debate over whether to extend TRIA
  - Extension would be for short period of time
  - Extension would not include all types of coverages
- New Terrorism Insurance Markets may open up
- Industry Funded Pool?

## Other Work of the Legal and Liability Committee

- National Regulations Concerning Carriers Liability – Posted on IUMI Website
- CMI Review of Marine Insurance
- General Average Reform



# Legal and Liability Committee Open Forum

- Liabilities on the Increase – Effects on Marine Insurance
- Speakers from Various Sectors of the Industry
- Review of Various Legal Regimes and discussion of legal trends and its effect on insurance rates