





Legal and Liability Committee Chairman's Report

Andrew Garger

Composition of the Legal and Liability Committee



- **Mr. Andrew Garger (USA)(Chairman)**
- **Mr. Kurt Günthart (Switzerland) (Vice Chairman)**
- **Mr. Stephen Barr (Lloyd's, UK)**
- **Mr. Frederic Denéfle (France)**
- **Mr. Wilfried van Gompel (Belgium)**
- **Mr. Sohei Hashisaka (Japan)**
- **Mr. Ulf Kinell (Sweden)**

Composition of the Legal and Liability Committee (continued)



- **Mr. Arno Kneefel (The Netherlands)**
- **Mr. Haakon Stang Lund (Norway)**
- **Mr. Nimbe Oviosu (Nigeria)**
- **Mr. Massimo Spadoni (Italy)**
- **Mr. Colin Sprott (Lloyd's, UK)**
- **Mr. Kalambur Srinivasan (India)**

UNCITRAL Working Group – Draft Instrument for the Carriage of Goods



- UNCITRAL Transport Law Working Group met 18-28 April in New York and will meet again 6-17 November in Vienna
- Principal topics discussed in New York:
 - Jurisdiction and Arbitration
 - Transport documents and electronic records
 - Shipper's obligations
 - Limitation of liability
 - Rights of suit and time for suit
 - Final Clauses

UNCITRAL Working Group – Draft Instrument for the Carriage of Goods



- Timetable
 - Draft Instrument completed by end of 2007
 - Presented to full Commission Summer 2008
 - Presented to U.N. General Assembly for adoption during Fall 2008
- UNCITRAL website contains latest text and information (www.uncitral.com)



Terrorism Risk Insurance Act

- TRIA extended until end of 2007
- Extension does not include all lines
- Trigger raised from 5M US to 50M US then 100 million in 2008
- What's next – Industry Funded Pool?

Other Work of the Legal and Liability Committee



- Money Laundering/Financial Terrorism
- U.S. Oil Pollution Act: Increased Limits
- National Regulations Concerning Carrier Liability – Posted at IUMI.com
- Liability Questionnaire

Legal and Liability Committee Open Forum



- Tuesday, 1400 to 1700
- Examine issues of importance on topics and issues of importance in Japan and the Far East that reflect the common theme of the Conference, “Risk Assessment and Loss Prevention – A Common Goal.”

Legal and Liability Committee Open Forum



- Four Speakers
 - Mr. Toshiaki Iguchi, General Manager (Legal Affairs) Commercial Lines Claims Department, Tokio Marine & Nichido Fire Insurance Co. Ltd.: Some Recent Developments of the Japanese Maritime law
 - Anthony Archibald, Senior Vice President, Marine Liability, Marsh Ltd.: Impact of Changes to Limitation of Liability Limits in Pollution and Non-pollution Related Claims

Legal and Liability Committee Open Forum



Speakers (continued)

- Hidetaka Moriya, Attorney at Law, Braun Moriya Kubota & Fukuda Law Office: The Origin of Social Responsibility & SRI in Japan and Current Status
- Shuji Yamaguchi, Attorney at Law, Okabe & Yamaguchi Law Office: Legislation on International Carriage of Goods by Sea and Inland Carriage of Goods in BRIC's (Brazil, Russia, India, China) Countries