

## 8. OTHER MATTERS

### A. ARBITRATION

The Queensland Branch of the MLAANZ together with the Queensland Chapter of the Institute of Arbitrators Australia are conducting a seminar on maritime arbitration on Friday 15 April 1983.

It is proposed to have the three papers — "The Arbitration Process", "Arbitration as a Means to Resolve Marine Disputes" and "When to Arbitrate and When to Litigate" — published as a booklet.

Enquiries may be directed to K. H. Weir, Treasurer of the Queensland Branch of the Association, at G.P.O. Box 415 Brisbane Queensland 4001.

### B. AUSTRALIAN LAW REFORM COMMISSION

The Chairman of the Commission, Mr Justice Kirby, has asked the Association to draw the attention of members to the Admiralty Reference given to the Commission on 23 November 1982. The Terms of Reference are published in full below.

As a preliminary matter the Commission seeks the views of members as to whether or not concurrent or exclusive jurisdiction in admiralty matters should be conferred upon the the Federal Court of Australia.

The Terms of Reference are as follows:

I, NEIL ANTHONY BROWN, the Minister of State for Communications, acting for and on behalf of the Attorney-General of the Commonwealth of Australia, HAVING REGARD TO THE FOLLOWING:

- (a) that the Admiralty jurisdiction in Australia is at present still exercised pursuant to the United Kingdom Colonial Courts of Admiralty Act 1890;
- (b) that the Constitution enables the Commonwealth Parliament to make laws conferring jurisdiction on the High Court and other federal courts in matters of Admiralty and maritime jurisdiction, and to make laws investing any court of a State or Territory with such jurisdiction; and
- (c) that other countries, including Canada and New Zealand, to which the Colonial Courts of Admiralty Act 1890 previously applied, have enacted their own Admiralty legislation in a revised and updated form;

HEREBY REFER to the Law Reform Commission, for INQUIRY, REVIEW and REPORT thereon to the Attorney-General, all aspects of the Admiralty jurisdiction in Australia, and REQUESTS the Law Reform Commission, in considering this reference, (a) to have regard to the Report of the Joint Committee of the Law Council of Australia and The Maritime Law Association of Australia and New Zealand dated 22 April 1982 on Admiralty Jurisdiction in Australia, and (b) to take note of the draft Admiralty Jurisdiction Bill set out as Appendix "A" to that Report, and, in particular, to

- (i) make recommendations on the provisions to be included in an Australian Admiralty Act;
- (ii) consider whether any, and if so what, consequential amendments should be made to other Commonwealth legislation, including the Navigation Act 1912;
- (iii) formulate draft Rules of Court for possible application by courts upon which Admiralty jurisdiction may be conferred by the Admiralty Act as recommended by the Commission;
- (iv) consider whether Australia should enact its own law of Prize and, if so, formulate recommendations for such a law; and
- (v) to formulate a draft Explanatory Memorandum that could be used as an aid in the interpretation of any Bill for an Act to give effect to recommendations by the Commission pursuant to these Terms of Reference.

### C. CORPORATE MEMBERSHIP OF THE MLAANZ

Corporate members are reminded that this form of membership entitles members to receive three copies of the Journal. Corporate members who would like to receive additional copies should notify the Secretary of the Association, Stuart Hetherington, at G.P.O. Box 713 Sydney 2001.

### D. MARITIME REPRINT PROGRAMME

The publishers and booksellers, Professional Books, are conducting an extensive maritime reprint programme. Members who are interested in acquiring information as to the texts to be reprinted in this programme should contact the publishers at:

46 Milton Trading Estate  
Abingdon, Oxon OX14 4SY  
England

**E. Mr H. W. NIEMOTKO**

Mr Niemotko, a Polish national who is now a permanent resident of Australia, has written to the Association enquiring whether any members are able to assist him in finding suitable employment. He has experience in international trade law, marine insurance, law of the sea, patents and trade marks and human rights and international humanitarian law as an academic, government adviser and with shipping lines. In addition to this he has qualifications from the Adam Mickiewicz University of Poznan as well as a Master of Laws from Columbia University New York.

Mr Niemotko can be contacted through the Journal.

**F. Mr H. W. RILK**

On 9 February 1983 the Board of the Columbus Line held a dinner to celebrate 25 years with Columbus Line Group of Mr Horst W. Rilk. The President of the Association and Mrs Carruthers attended this function.

The Association congratulates Mr Rilk on his 25 years with the Columbus Line Group.