



FROM THE INSTITUTE PRESIDENT, MICHAEL COOKE

In preparing LA News for July 2014 I reflect back on what has been a very fulfilling month for AICLA.

The CC14 committee has been holding meetings to put finishing touches to the convention agenda. All has not run completely to plan with some last minute minor changes. However I am very pleased to say the agenda has changed little, and we have added a new panel discussion, which will prove popular with delegates. The discussion on the topic of Changing Trends in Loss Adjusting will feature CEO's from the three major loss adjusting firms. This will be facilitated by Terry McMullan from Insurance News and I am sure the session will be very informative.

Our key note speaker, Peter Newall from Swiss Re Corporate Solutions is also presenting on the "Changing World of Claims". Our industry is continually changing and this convention is an ideal opportunity to gain insights from leading experts in the insurance industry.

Our Chief Executive Tony Libke and I have been in Sydney recently visiting amongst others the CEO's of the major loss adjusting companies, informing them of AICLA's activities and discussing the progress of membership in AICLA through to Chartered Loss Adjuster. There is wide support by the major firms for the Diploma of Loss Adjusting, AICLA and the loss adjusting industry in general.

We also met with NIBA CEO Dallas Booth to discuss AICLA and NIBA activities. I have reported before that we have an excellent relationship at executive level, which we value greatly. We discussed the issue of jointly promoting educational activities, which at times go unannounced to members of the opposite institute in country and regional locations. This is one area that we can work together to ensure we gain maximum benefit for our combined members, gaining CPD points as well as forming closer working relationships. We discussed the Insurance Risk magazine, the opportunities for AICLA members to have articles published and the new Code of Practice and how it affects our respective members.

I have expressed before my views in LA News and at speaking opportunities over the past two years about the benefits in loss adjusters and brokers working together on claims, thereby gaining the maximum outcome for all parties involved in the claims process. My views were again discussed with NIBA at our meeting and overwhelmingly supported by their CEO.

A meeting was held with Insurance Council of Australia CEO Rob Whelan and Karl Sullivan (General Manager Policy Risk and Disaster) . Nationally we have received very timely catastrophe information from ICA with their disaster response communications. Again, AICLA and ICA have a very close and cooperative working relationship. We value this relationship and look forward to furthering this already strong association.

I urge members to take advantage of the trainee loss adjusters/ claims technicians workshop in Sydney the day before CC14. The programme is complete and features top quality presenters. The workshop is an ideal opportunity for young and relatively inexperienced staff to obtain valuable training.

The 2015 Asian Claims Convention will be held on 24-26 March in Hong Kong at the Harbour Grand Hotel Kowloon. Now that the dates and venue have been secured we have commenced work on the programme. The Hong Kong Rugby 7's commence on 27 March.

I recently met with Sally Davis who is assisting AICLA developer CPD Workshops. We are aiming to develop 2-3 workshops for use by division over the next twelve months.

The NSW Division held their annual Luncheon on Friday 25 July at the Sydney Yacht Club, Kirribilli which, as usual, was a sell out. This was my first attendance at this function and an opportunity to meet with many Division members and guests. The guest speaker for this event was Paul de Gelder, a shark attack victim who now does motivational speaking and is an avid supporter for wildlife and shark preservation. His story was of great interest and entertainingly presented. The entire event was a great success and I congratulate Christine Boardman and the NSW Division.

I am pleased to announce that Christopher McAuliffe from Cerno Sydney has been awarded the 2014 Carey Bird Scholarship. Well done to Chris whose prize includes attendance at the Asian Claims Convention in Hong Kong in March 2015.

A reminder that Divisions in Australia and Asia will be holding their AGM's in August. This is an ideal opportunity for members to join their division council and have a direct involvement in how we operate. I can say to all members this is a worthwhile and rewarding experience, I encourage you to participate.

I close on a sad note with the news that former Victoria chairman and national director Ivan Saunders passed away on 3 July 2014. I had involvement with Ivan through AICLA and he always held our Institute high on his list of priorities. I express my deepest sympathy to Ivan's family and friends.

See you at CC14.

**Kind Regards,
Michael Cooke**



CC14

CC14 is only two weeks away however it is not too late to register. There are panel sessions and individual presentations that should evoke lively debate.

[For a copy of the convention brochure and registration form click here.](#)

TRAINEE WORKSHOP

The Trainee Loss Adjusters' and Claims Staff Workshop will be held at the Novotel Rockford Sydney on Tuesday 12 August 2014. The workshop will cover a wide range of topics with experienced presenters in an interactive environment.

The one day workshop costs only \$88/ attendee and following a similar event last year is expected to fill quickly. **[It is open to members and non members and for a copy of the flyer and registration form click here.](#)**

ON-LINE CONTINUING PROFESSIONAL DEVELOPMENT (CPD)

IOS DETERMINATION — MOTOR VEHICLE — DISCLOSURE

This month we turn to another of our occasional selections of FOS determinations. Reading these in detail, it is sometimes a matter of surprise (and occasionally even concern) when the FOS rules against the insurer. The fact that the process comes at a cost to the insurer (and not the insured) and that one would hope that a sensible insurer would not allow matters to escalate to this stage unless an important point of principle was at stake, sometimes makes this all the more surprising.

However, such findings are often made, and indeed if they were not the impartiality of the process would be at question, not least in the eyes of the public.

The case we look at in paper CPD062 is not one of these. In that paper the case is outlined where a claimant at the point of application for motor insurance failed to disclose not only adverse driving history but also criminal history, such disclosure to be made in accordance with Insurance Contracts Act Section 21, with Section 28 arising. Of course this involved examination of whether the insurer informed the prospective insured of this duty in accordance with Section 22.

As it was, it was necessary for the insurer to show that failure to disclose would have affected the granting of cover. The insurer was able to do this, and as part of the evidence the insurer was able to produce internal guidelines and contemporaneous notes (made electronically) at the inception of cover.

This satisfied the FOS and the matter was resolved in favour of the insurer. This case shows, amongst other things, how the internal systems (including note-taking) of an insurer are vital in supporting a position.

Our on-line CPD facility is available on a 24/7 basis and is designed to assist all members, especially those with time and distance problems. You can access the facility via the hotlink below, or by navigating through 'Professional Development' on the AICLA website Home Page. Members should use the User Name **cpduser** and the password **aiclapd**. Your browser may offer the opportunity to 'Remember this password'.

We look forward to seeing you there!

[Go to on-line CPD now.](#)

QUEENSLAND

The Queensland Division Breakfast Seminar and AGM will be held on 21 August 2014 at the Brisbane Broncos Club, Red Hill. There will be two presentations on topics of clandestine drug laboratories and new legislation on asbestos followed by the AGM.

The annual Queensland Division Charity Golf Day will be held at the Gainsborough Greens on 11 September 2014. Proceeds from the day go to the Childrens Hospital Foundation.

The End of Year Luncheon is booked for Tattersalls Club on Friday 24 October 2014. Members are asked to note the event dates in their diaries.

WESTERN AUSTRALIA

On 26 June 2014 a Fellows Breakfast Meeting was held which involved an open forum for Members to discuss the state of the Market, training requirements and potential diary sponsors for 2015. The meeting was well attended and some interesting ideas for up and coming seminars were raised along with identifying new companies to approach as diary sponsors.

The date for the WA Division AGM has been set for 7.30 am 28th August 2014 at The Royal Perth Golf Club.

NEW SOUTH WALES

ISR Workshop - Tamworth

The ISR Workshop was held in Tamworth on 17 July 2014, receiving excellent support from approximately 40 registered delegates. Loss adjusters (member and non-member), insurance brokers, agents and claims handlers travelled from regional centres including Dubbo, Orange, Moree, Lismore, Coffs Harbour and Newcastle to attend.

The workshop provided an overview of ISR Mark IV policy coverage, examining relevant property and perils exclusions and considered the differences between the ISR and Defined Events coverage. The workshop was conducted in an interactive forum, with break-out sessions enabling participants to examine real life case studies to assist in understanding the operation of the policy.

The workshop was presented by Sharon Hodgson (Crawford), Micheal Leonard (Cunningham Lindsey) and Simon Hovian (Cerno), with facilitators from the NSW/ACT Division and senior regional loss adjusters assisting.

The feedback provided by delegates was positive in terms of the workshop content, and support of the regional areas in terms of CPD and networking opportunities.

Annual Luncheon - Royal Sydney Yacht Squadron, 25 July 2014

The event has sold out and further information will be provided in next month's LA News.

NSW/ACT Annual General Meeting (AGM) - 6 August 2014

A reminder to all members their attendance is encouraged and welcome at the AGM and we seek nominations from those that are interested in serving on the Division Council for 2014/15.

NEW AND ELEVATED MEMBERS

Congratulations to the following recently admitted and elevated members:

NEW MEMBERS

Name	Class	Division
Sonya Bullock	Provisional	New Zealand
Marlyn Massey	Affiliate	Queensland
Geoff Beck	Provisional	Queensland

ELEVATIONS

Name	Class	Division
Paul May	Fellow	Int (Singapore)
Yee Kang Phen	Associate	Int (Malaysia)
Evelyn Ratanamaneephan	Associate	Int (Thailand)
Aditya Hamdani	Affiliate	Int (Indonesia)



VICTORIA

Victorian AGM 6th August, Tower Hotel

The Victorian Division Annual General Meeting is to be held at 6pm on Wednesday the 6th of August at Tower Hotel, 686 Burwood Road, Hawthorn East (on the corner of Camberwell Road and Burwood Road). This is a timely reminder to all members interested in attending, providing feedback and/or suggestions to your Victorian Council please let Margaret (our division secretary) know via email mjr53@bigpond.com by no later than COB Monday 4th August.

Christmas Gala – Change of Date

Further to our announcement of the 2014 Christmas Gala event, please note the change of date to Monday night 8th December 2014.

This year's event is promising to be a great one, bigger and better than years past.

– IVAN SAUNDERS –

Vale, Ivan Saunders, Chartered Loss Adjuster, 'Aussie' rules footballer, cricketer, husband, father and grandfather. After commencing his career as a 'tradie', Ivan brought that knowledge to Loss Adjusting, joining the Chartered Institute of Loss Adjusting in 1980 working initially for Alan G Lewis and Associates before being a principal/partner of his own firm, Imperial Adjusters with three offices. Ivan joined McLarens in 1997 before retiring from loss adjusting in 2003 taking various positions within the industry. He then returned to the profession in 2009 when he joined MYI Freemans (Cerno).

Ivan was AICLA Director and Chairman of the Victoria Division in 1999-2002 and it was Ivan who presented me with Life Membership of

AICLA in 2000. He was dedicated to improving our profession.

Well known in the Bayside suburbs of Melbourne as a footballer, injury preventing him from reaching the highest level, a football coach and administrator, and a respected cricketer.

Ivan is survived by Merilyn, and adult children, Gabrielle, Rohan and Scott, and their families.

I had known Ivan for about 40 years, he was energetic, positive and a true gentlemen. At every meeting we exchanged genuine interest in our respective families.

Our sincere condolences to Ivan's family
- Bob Richards

Along with Bob Richards, the Victorian committee on behalf of all members would like to provide our most sincere condolences to Ivan's family, friends and colleagues. Ivan has certainly meant a lot to AICLA, the industry as a whole, family and community alike.

HELP MAKE HISTORY

THE HISTORY OF LOSS ADJUSTING BOOK COMMENCING NOW

When I sat down with Tony Libke to discuss writing the history of loss adjusting in this part of the world, I wasn't expecting the subject to be so interesting! Floods, fires, and loss of lives combined with experts willing to be the first in to survey and assess the damage makes for very good story telling.

My name is Elizabeth Marx. I've been a freelance print journalist for 25 years and am a graduate in politics and media studies from the University of Queensland. I will be collecting the history and the stories of loss adjusters throughout Australia, New Zealand and Southeast Asia.

I know there is a rich and vital history here. How did loss adjusting begin in Australia and how did it differ from other parts of the world? What unique situations have loss adjusters faced in our harsh environment, often quite isolated from the rest of humanity? Who are the oldies that have fantastic tales to tell of devastating bush fires, flooded towns or crushing earthquakes? Similarly what events and circumstances shaped the development of loss adjusting in New Zealand and Asia?

In the next few months my job will be to collect and narrate your stories into a Book that will be published on line and in print. I will look at the histories of each division, the larger-than-life characters involved, and the natural events which have shaped this industry in many ways.

The book will be a living thing and will be added to over the years. It will be a touchstone for all loss adjusters and their clients and a source of knowledge for the wider community.

THIS IS WHAT I NEED FROM YOU:

I need to connect with loss adjusters that may be in retirement or near it who have been involved in particular events and have a great story to tell. I will transcribe their stories. I also need to know how loss adjusting as a community has evolved in your state or country. Who were the founders of various associations and how did your profession evolve?

I am eager to begin compiling, interviewing and writing and I can be reached at 0434 998 360 or brisbanemarx@gmail.com.

I will be working from the offices of the AICLA for the next few months and can be reached there most days on 61 7 3229 6663 or email adminoffice@aicla.org.

I sincerely look forward to this very worthwhile project and all the great things I will learn from speaking to you.

Elizabeth Marx



AICLA offers members the opportunity to advertise positions vacant in LA News.

The cost is 200.00 (+ GST) and the advertisement will be run for one month. The advertisements also appear on the AICLA website www.aicla.org.

If you wish to advertise, please send information to adminoffice@aicla.org. Advertisers can remain anonymous with job applicants responding direct to AICLA.