



FROM THE INSTITUTE PRESIDENT, JAYE KUMAR

Dear Member,

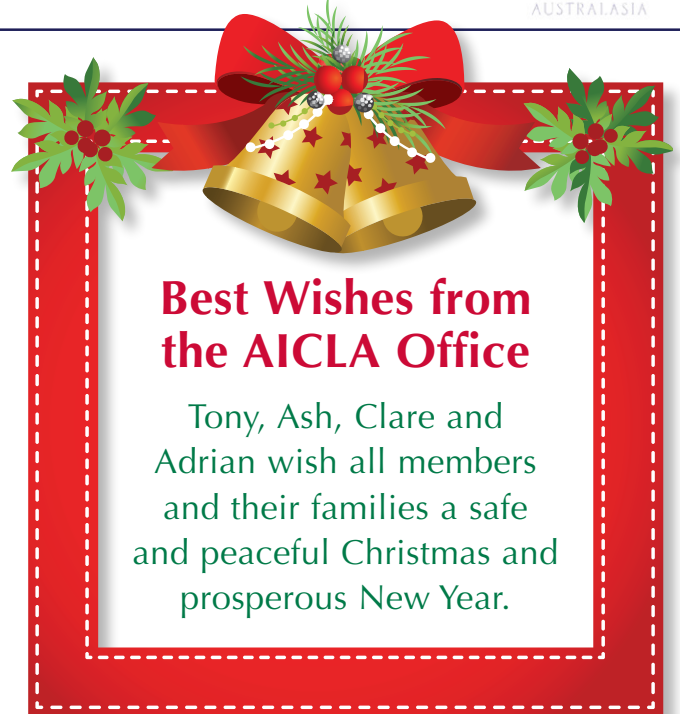
Unlike last year when the claims environment was relatively benign, we end 2019 with some major storms in NSW and QLD and unprecedented fires in almost all states of Australia. From discussions with members in New Zealand and Asia, 2019 has been a relatively quiet year for claims.

Nothing prepares you for major catastrophes and the devastation they leave in their wake. Images on our screens of destruction and loss of lives leaves a lasting impression and with no doubt that we face some harsh realities in our lucky country. Nature has its own way of testing our resolve and whether you are a global warming denier or not, we have to accept that the climate patterns are changing and catastrophic weather events are becoming the expected norm.

AICLA was busy throughout 2019 with conferences, workshops, presentations and networking events. Recently we had the well supported WA Division Diary Sponsor and Christmas function, the Victorian Division Gala Dinner which is becoming the premier AICLA event with a record breaking 500 attendees, and the successful NSW Cocktail Function. We thank our industry partners for their support of these events.

The Asian Claims Convention in 2020 will be held in Kyoto Japan from 14 to 16 April. The record level of sponsorship and our ability as a result to keep the registration cost low is already attracting great interest. Registrations are already coming in and we urge all those who need a good reason to visit Japan to do so with the opportunity to attend this conference in the historic city of Kyoto.

In 2020, the impending legislative changes following the Hayne Royal Commission will have a significant effect in the way claims handlers and loss adjusters in particular operate. AICLA believes this will be far reaching and for the better. It



is change we have wanted for a long time and it will raise the professional standards of claims handlers and claims handling for the benefit of consumers. Our CEO, Tony Libke, and I recently held a telephone conference with representatives from Treasury and ASIC to discuss the Exposure Draft Legislation in respect of claims, a copy of which is [available here...](#) Stemming from that meeting, AICLA will be making a submission to Treasury in early January. Further information will be conveyed in the new year.

I have enjoyed my ongoing tenure as President and would like to take this opportunity to thank the AICLA Board Directors and Division Councillors. Without their ongoing commitment and support we would not be able to achieve what we do as a successful international professional body. A special mention goes to Tony Libke, our CEO, and his team Ash, Adrian and Clare, who continue to help AICLA operate as an efficient organisation.

This is the time of year for us to reflect on how we have fared and to look forward to a great year ahead. I wish everyone a safe and relaxing festive season with family and friends and to embrace our blessings in life.

Kind regards

**Jaye Kumar, Chartered Loss Adjuster
President – AICLA**

UPCOMING EVENTS

Members and guests are invited to attend the following events. For further information and to register, please click on the event.

DATE	EVENT	LOCATION
14-16 April	ACC20	Kyoto
22 May	Luncheon	Auckland
9 September	CC20	Sydney



**ACC20
KYOTO JAPAN**
14-15-16 APRIL 2020
GRAND PRINCE KYOTO

A registration brochure for the Asian Claims Convention 2020, to be held at **The Grand Prince Hotel Kyoto** on **14-15-16 April 2020** is available now – [click here...](#)

The convention offers the following inclusive: cocktail function, two-day convention and gala dinner. An attractive discount registration rate is available for members and for bookings of 3 or more from one organisation. A full day optional cultural guided tour of Kyoto will be held on Friday 17 April.

QUEENSLAND

Planned events for early 2020 include two breakfast seminars and the half-day Queensland Claims Conference. Further information on these and other events will be advised to members early in the new year.

WESTERN AUSTRALIA

The 2019 WA Division Diary Sponsor and Christmas Function was held at The Marmion Angling and Aquatic Club on Friday 6 December, with over 70 attendees including Retired members. The speaker this year was former Australian Cricket Captain and Commentator, Kim Hughes.



NEW AND ELEVATED MEMBERS

Congratulations to the following new and recently elevated members:

NEW MEMBERS

Name	Class	Division
Michael de Bruyn	Provisional	Queensland
Ng Guan Wei	Affiliate	Int. Singapore
Ng Choong Sian	Affiliate	Int. Malaysia
Ryan Lim	Affiliate	Int. Singapore
Ashley Emmet	Provisional	New South Wales
Graeme Small	Provisional	New South Wales
Stephen McDonald	Provisional	New South Wales
Navin Vasani	Provisional	Int. Singapore

ELEVATIONS

Name	Class	Division
Angelo Leonardis	Associate	South Australia
Mark Naden	Affiliate	South Australia
Cathal Brennan	Associate	New South Wales

VICTORIA

SOLD OUT! 2019 AICLA (VIC) AWARDS CROWN PALLADIUM

The highlight on the Victorian calendar is the annual AICLA (Vic) Awards Night. This year brought guests to the Crown Palladium, cementing the event to be the biggest insurance sector night in Victoria for people who work in claims.

There were over 500 guests with a great mix of loss adjusters, claims managers/officers, brokers and suppliers.

We were treated to spectacular entertainment from dancers from Superhoodz Dance Crew who got the crowd pumped with their energetic performance straight from their recent tour of Disney, Universal and Knott's Berry Farm in LA!

Followed by a remarkable performance by Circa Nica. With an incredible and breathtaking moment on the hoop and silks, this act really had the crowd in awe and in full appreciation for such amazing talent.

Music for the night was provided by The Baker Boys Band which entertained us over dinner and kicked it up a notch to get the crowd up and dancing at the end of the night.

The awards ceremony played a large part of the evening. AICLA Victoria would like to congratulate the following winners;

Service Provider of the Year EHS Assess

Builder of the Year Insuraplex

Loss Adjusting Support

Person of the Year Claire Croft – McLarens

Young Loss Adjuster of the Year

Robbie White – Sedgwick

Loss Adjuster of the Year Rob Robinson – Sedgwick

This year was also the introduction of the Inaugural Bob Richards Award, which was awarded to the AICLA Victoria Member with the highest exam mark of any module completed in the financial year in the ANZIIF / AICLA Diploma of Loss Adjusting Course.

In naming the Award in honour of Bob Richards, AICLA (Vic) recognises the skills and contribution Bob continues to make to the loss adjusting profession and celebrates the guiding hand he has offered over the years.

The winner of the Inaugural Bob Richards Award was **John Burmeister, McLarens**.

AICLA (Vic) want to continue providing this event at a reasonable price and cannot do this without the wonderful Sponsors who year after year support this event! AICLA (Vic) would like to thank:

Premium event sponsor	Steamatic
Platinum sponsors	Australian Restoration and Construction, Benpower Restoration
Gold sponsors	Advanced Buildings, FRA and Johns Lyng Group
Silver Sponsors	Bay Building, Burgoynes, Elements, Ethos, FMG, Insuraplex, JB Hifi Solutions, JP Flynn, Laser Restoration Australia, Linx Restoration Services and Pattersons Insurerbuild

Well done to the Victorian Division for a successful night and the challenge is on to make 2020 even more spectacular!

Photos from this wonderful event can be [viewed here...](#)



NEW SOUTH WALES

NSW held its end of year cocktail function on 28 November at the QVB in Sydney. The night was a success with over 80 members, guests and sponsors attending to celebrate the end of the year. Photos from the event can be **accessed here...** using the email nswdiv@aicla.org and password AICLA.

In other news, a casual vacancy on the committee has come

up with Richard Mayne resigning to pursue new opportunities in North America. We wish Richard the best of luck and extend our thanks to him for the hard work that he has contributed over the last couple of years to improving our division. We would like to invite any members who are interested in joining the NSW council to send through a brief one page expression of interest to nswdiv@aicla.org by COB on 31 January 2020.

ON-LINE CPD

ICA SUBMISSION TO TREASURY RE UNFAIR CONTRACTS

It is a fact of human nature that some people are inherently selfish, find fault in others easily and tend to overlook their own shortcomings! It is also human nature for individuals to follow the herd. Unfortunately, insurance is one area where we often see all these tendencies. As adjusters, operating as we do under strict rules and often under great pressure, we sometimes find — with notable and pleasing exceptions — that some claimants are fixed on maximising and sometimes being ‘creative’ with their claims and do not accept necessary adjustments gladly. Omitting the concept that the purpose of insurance is to spread the misfortunes of a few across the premiums of the fortunate many, the logic is sometimes on the lines of ‘I paid my premiums all these years with no claim, so now I’m entitled to as much as I can get away with!’ Dealing effectively and clearly with such assertions when they exceed the legal entitlement goes hand in hand with empathy (see Paper CPD125), while that vital skill is so necessary for helping those who’ve borne devastating or just significant loss, and who make their claims in good faith.

Insurance is one of the most regulated industries. Clearly the now-bewhiskered and revered Insurance Contracts Act 1984 came into existence as a result of general dissatisfaction with the industry, which may have been at least partly justified at that time. Indeed — with the exception of the Duty of Disclosure — the Act operates mainly in protecting the insured. All of us are bound by it, and it is a foolish adjuster (or insurer!) who disregards any of its provisions.

In much later years, no doubt influenced by disgruntled claimants whose experiences have been unsatisfactory for

one reason or another, and the resulting pressure via tabloid media and the ever-enveloping social media (with its FOMO effect) feeding strong representations to members of parliament, there is again pressure for more regulation.

The concept of extending unfair contract legislation to cover insurance contracts — although these are already heavily regulated as a particular sector of commerce — is an example of this thinking. Last year the Insurance Council of Australia wrote to Treasury outlining its thoughts on the topic. With the kind permission of ICA we reproduce their submission on the matter at CPD127. You will see that the paper is not combative but does present other arguments cogently. We commend it to you.

What is certain is that whatever is enacted, we are bound by it. We can expect it to be quoted — possibly selectively — by those few really disputive claimants or their representatives that we might encounter. The only way to deal with that possibility is to have intimate knowledge of the legislation and take care to apply it fairly. In the words of another organisation ‘Is it fair to all concerned?’ And that should be said without just resorting to the individual’s sense of ‘fairness’, with all its dangers of bias — often unconscious. True fairness is not only personal. It also involves abiding by a code.

This is the last CPD article for the year. It remains for us at this little corner of AICLA to wish all members a safe Christmas. If events allow it to be relaxed we hope for that for you all too.

The password to the Member section of our website is **aicla2018** and you proceed via CPD Papers and Quizzes.



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

The cost is \$300.00 (+ 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.