



## FROM THE INSTITUTE PRESIDENT, GLYN LLOYD

Dear Member,

The hot topic surrounding the profession and that of the industry is in relation to the licensing requirements for Representatives, Authorised Representatives and other parties who are subject to dealing with insurance claims and other insurance services. AICLA has engaged DLA Piper Lawyers to assist in the delivery of guidelines and specific service scenarios for many different types of activities performed by loss adjusters so as to assist in the determination of what actions may be required. These guidelines will include information members can pass on to clients when questions are raised. We have received numerous enquiries from members who act for a variety of different clients in different capacities, and we believe that we should be able to deliver detailed information in the near future.

The guidelines that are being prepared will be provided to ASIC for vetting to ensure that we are not falling foul of the regulations. Following meetings and telephone conferences with ASIC, we are awaiting a response on a number of matters raised to ensure that agreement is reached as to where members fit in the new regulatory regime. As advised previously, where loss adjusters act on behalf of a licensed insurer, it remains our belief that they are Representatives and do not require to hold a license or be registered as an Authorised Representative.

As part of ongoing discussions with insurance affiliations ICA and NIBA, our CEO and I will be holding meetings to discuss matters of mutual interest. No doubt licensing regulations will take up a fair portion of these discussions. The working relationship with these organisations is mutually beneficial, and provides an important insight into their views on many insurance-related topics to enhance the continued professional development of all concerned with insurance matters.

It is disappointing to note that Covid continues to have an impact on members and businesses in Australia, New Zealand and Southeast Asia. There have been significant changes in the Philippines, Cambodia and Thailand which have effectively locked down these countries. The struggles that continue to occur in Indonesia and Malaysia also create great difficulties for adjusters to assist insurance clients and it was very relevant that the international division, as per my previous update, hosted a

very well attended webinar on the benefits of virtual technology being used by loss adjusters throughout Southeast Asia. These virtual tools mean that loss adjusters are still at the forefront of insurers minds when dealing with business as usual claims and the unfortunate catastrophes that so often occur.

The East Coast of Australia has recently seen another deluge of rain, and the ICA has declared a catastrophe, with at this early stage some 33,000 claims lodged for an estimated value of AUD\$497m. Again, virtual technology has enabled an excellent service response from adjusters due to the barriers of Covid not allowing free travel and the deployment of adjusters from state to state.

The next Board meeting for the directors of AICLA will be in May and it is hoped that this can take place in Sydney for those who are able to travel and virtually for those who cannot.

In spite of the challenges that Covid presents, it is pleasing to note New South Wales, Queensland and Western Australia have upcoming events and we thank in advance sponsors and the committee members of these divisions for their dedication and support to ensure that programs of education and social networking continue to remain on the AICLA calendar.

I would like to mention that the Sydney Claims Convention will be held at the Four Seasons Hotel on 9 September. A significant amount of planning has already occurred, and further details will be available in the coming month.

**Kind regards**  
**Glyn Lloyd, 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 April	Seminar	Brisbane
6 May	Training Session	Perth
16 June	Claims Conference	Brisbane
13 August	Trivia & AGM	Brisbane
9 September	Claims Convention	Sydney
October	Charity Race Day	Brisbane
12 November	Luncheon	Brisbane

## NEW AND ELEVATED MEMBERS

Congratulations to the following new and recently elevated members:

### NEW MEMBERS

Name	Class	Division
Michael Pun	Affiliate	Int. Hong Kong

### ELEVATIONS

Name	Class	Division
Rhea Hazlett	Affiliate	Queensland
Ng Choong Sian	Associate	Int. Malaysia
Cillian Browne	Associate	Victoria
Paul Boylan	Fellow	Western Australia
Dolawat Wanichwatphibun	Fellow	Int. Thailand
Bintang Lazuardi	Associate	Int. Indonesia

## ELEVATIONS AND POST NOMINALS

For most categories of membership there are multiple pathways for elevation, including Associates of 10 years who have been loss adjusting for 15 years and have completed CPD are eligible for Fellowship status. The criteria for the various classes of membership are set out in the [Qualifications and Rights for Classes of Membership](#). If you meet the elevation criteria, please complete an [Application for Elevation](#) and ensure you complete a [CPD record sheet](#). The password is *aicla2018*.

The following are guidelines for members regarding the use of AICLA post-nominals. Full details of the use of post-nominals and the requirements for the different classes of membership are outlined in the [Qualifications and Rights for Classes of Membership](#).

AICLA Post-nominals	Affiliate:	AICLA (Aff)
	Associate:	ACLA
	Fellow:	FCLA

Provisional members and Ordinary members (legacy membership class) are not eligible to use post-nominals but may state they are Provisional members of AICLA or Ordinary members of AICLA. Also, Associates and Fellows who maintain CPD accreditation are eligible to use the term “Chartered Loss Adjuster”. Details of CPD requirements are outlined in the [CPD Information Sheet](#).

## WESTERN AUSTRALIA

A breakfast training session on the topic *Clandestine Drug Laboratories – Contamination and Clean-ups* will be held on Thursday 6 May at the Royal Perth Golf Club. The presenters will be Ryan Tremain (QED) and Liam Taylor (Savana Environmental Australia). For more information or to register [click here...](#)

## QUEENSLAND

The Queensland Division will be holding their second breakfast seminar for 2021 on 14 April at the W Hotel Brisbane. The presenter will be Steve Cranston, Pirca Pty Ltd, who will speak on the topic *Illicit drug contaminated sites - Manufacture or Use*. Further activities planned for the QLD Division are shown in the upcoming events.

## ONLINE CPD

‘But what really caused the loss? Does this policy cover it or is it excluded?’ When that question is asked in circumstances any more than for a fleeting moment, experienced loss adjusters are apt to blanch, especially if there is more than one ‘cause’!

Although we may be being unnecessarily hard on ourselves, as professional loss adjusters we usually regard a claim going to litigation as being a sign of our failure in one of our critical roles — that of bringing a sometimes difficult matter to a satisfactory negotiated conclusion. After all, there is no doubt that legal action is to be avoided wherever possible, for many reasons, not the least being cost — often considerable — and delay as well as probably magnified ill feeling on the part of the end customer, made all the worse by the inevitable tone of dispute that comes from the energetic attentions of the solicitor(s) and barrister(s) involved, which is after all their proper function in what has become an adversarial process. To make this worse, such accentuated feelings of dispute are apt to be widened to general condemnation of all things pertaining to insurance — including ourselves — by the often baleful influence of social media and the E-mob. Such tools are undeniably a boon for light-hearted chat between lonely and isolated people but come with the very real danger of spreading misinformation, as recent events have shown all too clearly.

What should be a strictly non-adversarial process — despite the oft-expressed beliefs of the claimant that as adjusters we are part of the dastardly plot to prevent payment of a claim — often becomes mired in prejudices. Prejudices where only too often reference is made to ‘greedy insurance companies’ or that mythical ‘fine print’ that some politicians and media commentators are fond of referring to.

To return to the nuts and bolts, actual or real cause of a loss often becomes a central issue when a claim is in dispute. We know it by the technical name of ‘Proximate Cause’. Not of course the nearest in location or time — and certainly not anything remotely approaching ‘approximate’ (perish the thought), but the real and efficient root cause of the loss.

The classic definition is as given in the British case of *Pawsey v Scottish Union and National Union* (1908), as:

*The active efficient cause which sets in motion a chain of events, without the intervention of any force started and working from a new and independent source.*

In an effort to improve clarity, we have explored this vexing question in CPD033 and now at CPD142 by reproduction of the full appeal judgement in the matter of *Lasermax Engineering –v- QBE Insurance and Ors*.

You can access these papers — and our now large range of others — on our website, via the Members section. There you will shortly also find an alphabetical index of topics for your convenience.

TECHNICAL ASSESSING IS HIRING!

FOLLOWING ON FROM KEY HIRES IN NSW, ACT AND WA AND WITH THE RECENT OPENING OF OUR ACT OFFICE, TECHNICAL ASSESSING (TA) IS LOOKING TO EXPAND ITS NATIONAL FOOTPRINT WITHIN VICTORIA, NEW SOUTH WALES, QUEENSLAND AND WESTERN AUSTRALIA, AND IS SEEKING SUITABLY EXPERIENCED, AICLA QUALIFIED SENIOR/EXECUTIVE LOSS ADJUSTERS IN THE LIABILITY, MARINE, CONSTRUCTION AND COMMERCIAL PROPERTY FIELDS.

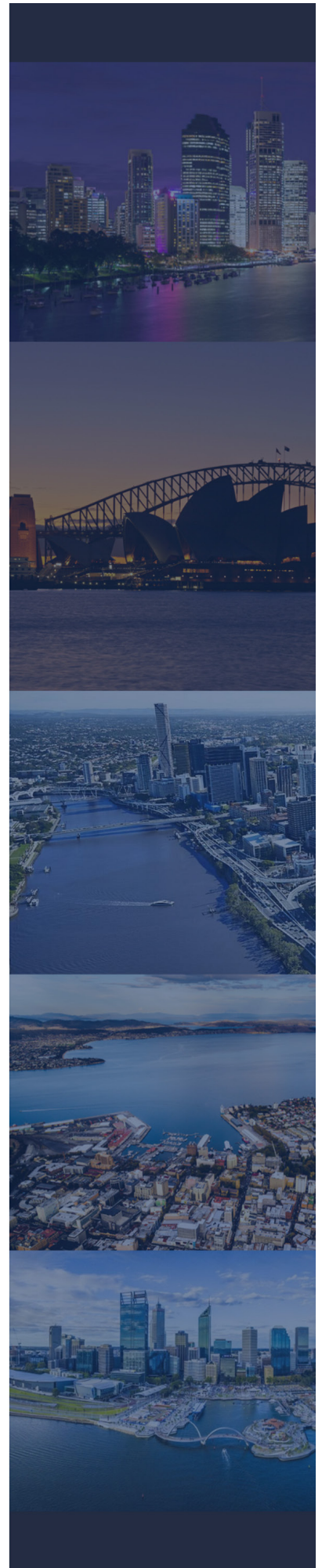
TA'S GROWTH MEANS WE ARE ABLE TO OFFER ATTRACTIVE SALARY PACKAGES, INCLUDING AN ENHANCED INDUSTRY LEADING QUARTERLY BASED BONUS SCHEME.

FOR THOSE WANTING TO MOVE INTERSTATE, ASSISTANCE WITH RELOCATION MAY BE PROVIDED.

PLEASE CONTACT:  
DAVID CAMBRIDGE, MANAGING DIRECTOR, IN THE FIRST INSTANCE ON 0410 517 101 FOR A CONFIDENTIAL DISCUSSION.



Technical Assessing







## Senior Liability Loss Adjuster

- **Challenging and rewarding role located just outside Sydney CBD**
- **Great corporate culture with competitive salary and work-life balance**

*We are looking for an experienced Loss Adjuster to join our expanding Sydney team*

### About the company

YDR Chartered Loss Adjusters are an Australian insurance service provider of Loss Adjusters with offices in all Australian mainland capitals. Servicing the insurance claims market since 1992, YDR has secured a wide and loyal client base.

YDR are recognised for their experience and ability to handle large and complex claims. The organisation places strong emphasis on providing prompt, technically accurate reports as well as an exceptional customer experience.

Due to continuing growth, we are seeking a suitably qualified and experienced Liability Loss Adjuster to join our Sydney team.

### About the role

The role involves maintaining a portfolio of complex liability claims across multiple insurers. The opportunity exists to work on a broad spectrum of liability claims including Personal Injury, Professional Indemnity, Product Recall, Product Liability, Third Party Damage and Contract Works claims.

### Skills and experience

You will be expected to have, or willing to work towards, ANZIIF/ AICLA qualifications. Applicants with a degree in Law, Accounting, Business, Engineering or Sciences will be well regarded.

The successful candidate will need to obtain a satisfactory national police check.

### Benefits

YDR prides itself in being a unified group of professionals with a focus on providing a quality outcome for our clients, whilst maintaining a sustainable work-life balance.

A salary package commensurate with qualifications and experience will be provided to the successful candidate.

**Applications should be forwarded to Anthony Bill, Administration Manager,  
YDR Chartered Loss Adjusters – [abill@ydr.net.au](mailto:abill@ydr.net.au)**

**Telephone enquiries are welcome on (08) 8201 8444**



**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](http://www.aicla.org).

If you wish to advertise, please send information to [adminoffice@aicla.org](mailto:adminoffice@aicla.org).

Advertisers can remain anonymous with job applicants responding direct to AICLA.