



## Minutes of meeting of CMI Assembly on Friday, 8 September 2017 at 1430 hours at the Old Stock Exchange Building, Genoa, Italy

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### 1. Report of the Credentials Committee

Chris Davis reported that the Assembly had been properly convened with notice of the agenda as tabled, that a quorum of Member Associations was present, and that, in terms of the Constitution, all Member Associations represented were entitled to vote.

### 2. Memorials

The President advised the Assembly of the passing of the following distinguished members of the CMI family, and asked all to stand in a moment of silent tribute. At the request of the President Patrick Griggs said a few words about Bill Birch Reynardson who was a Member Honoris Causa, a Vice-President of the CMI from 1978 to 1995 and had been senior partner of Thomas R Miller from 1991 to 1998. In addition he had been the Secretary/Treasurer of the BMLA for a number of years and had attended CMI meetings from the 1950s until the centenary Conference of the CMI in 1997. In 1995 he had been awarded a CBE for services in the Unification of International Maritime Law. He will be missed by all who knew him.

The President then outlined the life and service of the following:

- Roger Gifford (South Africa) who had been one of the founders of the South African MLA and its President from 1990 to 1996;
- Ian MacKay (Australia and New Zealand), who was both a master mariner and a maritime lawyer and one of the co-sponsors of the New Zealand Maritime Law Association combining with the Australian Maritime Law Association in 1977 to form the first CMI Regional Association;
- Manuel Albar Gonzalez (Spain) who was a Titulary member of the CMI and had been involved in the foundation of many of the most important maritime law firms in Spain;
- Professor Enzo Volli (Italy) who was a close and dear friend of Francesco Berlingieri, a Titulary member of CMI and honorary member of the Italian MLA and a Vice-President of the Italian MLA, who had attended many CMI events between 1959 and 2008;
- Professor Georgije Ivkovic (Croatia/Slovenia) who had contacted the President a year ago when a friend and colleague, Professor Vinko Haca, who the CMI had memorialised in New York had passed away. They had studied together at the University of Zagreb. Professor Ivkovic was a Titulary member of the CMI, a practitioner, teacher and author; and
- Colin Sheppard, who had passed away the previous weekend. He was a leading admiralty practitioner in the United Kingdom and had attended a number of CMI events and contributed to the work of the CMI over many years. He was married to Aleka Sheppard who chairs the International Working Group on Wrongful Arrest and our sympathies and condolences go to Aleka over this loss.

*The meeting stood for a moment of silence.*

The main agenda for this Assembly meeting was at this point adjourned to deal with the agenda on the Special General Assembly meeting, notice of which had been provided to MLAs by letter dated 28 Jul 2017. This Special General Assembly was constituted and Jean Francois-Peters gave the background and explanation as to why it was necessary for the resolutions which were proposed to be made in order to make the CMI compliant with the Belgium regulations. It was constituted to rectify the many oversights which had taken place since 2004 in notifying the regulator in Belgium of changes which had been made to the Constitution and the appointment of officers of the CMI and their ceasing to hold office. Separate minutes have been prepared in relation to the Special General Assembly and at which all the Resolutions proposed were unanimously approved by those attending. A list of those who attended that part of the meeting is appended to the Minutes of the Special General Assembly. The matters to be dealt with at the Special General Assembly having been concluded, the Assembly Meeting proceeded.

**3. Approval of the Minutes of the Assembly held in New York on 6 May 2016**

The Secretary-General tabled the minutes of the meeting of the Assembly held in New York on 6 May 2016, which were duly adopted without change, and signed by the President and Secretary-General. (The Secretary-General had received notice of a change concerning paragraph 6(d) dealing with the Audit Committee Report, at the suggestion of Mans Jacobsson, since they had been forwarded to MLAs on 28 July 2017). The minutes including that change were then proposed by Belgium and seconded by Canada for approval by the meeting and they were unanimously approved.

**Resolution: Approve the minutes of the New York Assembly of 6 May 2016**

**4. Matters arising from Minutes of the Assembly held in New York on 6 May 2016**

There were no matters arising from the New York Assembly Minutes that were not to be covered by the Agenda of this Assembly meeting.

**5. Report of the President**

The President tabled and delivered his report which was duly adopted. In particular, the President identified some of the key matters dealt with in his report which had been forwarded to MLAs on 28 July 2017. He referred to the award made to Frank Wiswall when he was presented with the IMO International Maritime Prize 2015 and which was reported in the News Letter earlier in the year. The President also referred to the fact that Frank Wiswall is currently undergoing unpleasant surgery and the CMI wished him well and a speedy recovery. He also referred to Alfred Popp QC's appointment as member of the Order of Canada and Aldo Chircop's appointment as the Canada Research Chair in Maritime Law and Policy, all of which awards were richly deserved and reflected well on the CMI. The President also referred to the amendments to the Constitution which would be dealt with on the next item of the Agenda, many of which were simply tidying up and drafting changes which had been made with a view to reorganising the material that is presently in the Constitution but with one substantive change, being to the makeup of the Nominating Committee.

The President also referred to the Cybercrime incident by which the CMI had been defrauded of USD17,230 to which the Treasurer refers in his report and explained how that fraud had been perpetrated and the steps taken by the introduction of a protocol to prevent it happening again.

The President referred to the Management Committee Meeting which Evelien Peeters had attended for the first time having taken over from Anne Verlinde a few weeks before.

The President also referred to the steps taken in relation to Judicial Sales to seek to have that instrument converted into an International Convention and to which reference would be made later in the Agenda.