

# 2017

## TWILIGHT

### seminar series

The twilight seminar series is the flagship of the AILA NSW education calendar. This year there are six seminars to be held from May to August focusing on significant and distinct issues facing the insurance industry. The quality and interest of these seminars is assured by the calibre of the speakers.

## 24 MAY

### MANAGING RISKS IN M&A DEALS: CURRENT ISSUES IN THE W&I INSURANCE MARKET

Forecasts of a bumper year for M&A activity in Australia and internationally highlight the need to effectively manage transactional risks. In this seminar Dean Carrigan will examine techniques for managing risks that can arise in M&A deals, particularly the function of warranty and indemnity (W&I) insurance cover, and issues that can arise in relation to claims under W&I policies. Jennifer Richards will then discuss current issues in the W&I market, including the features and limitations of W&I policies and how to strategically use W&I cover to facilitate transactions.

<b>SPEAKER</b>	Dean Carrigan, Partner Clyde & Co Sydney
<b>SPEAKER</b>	Jennifer Richards, Managing Director – Specialities, Aon Risk Solutions
<b>CHAIR</b>	Robin Bowley, Lecturer UTS Faculty of Law

## 21 JUNE

### QUANTUM LEAPS IN CLASS ACTIONS

AILA is delighted to invite back two of its most popular speakers – Nicholas Owens SC and Susan Donaldson of Berkshire Hathaway Specialty Insurance – to speak on issues of quantifying loss in class actions. Mr Owens will present on the question of indirect causation in securities class actions, particularly in light of Brereton J's decision in *Re HIH Insurance Ltd (In Liq)* [2016] NSWSC 482. Mr Owens will also discuss the problem of claim quantification in class actions generally. Ms Donaldson will then provide the industry perspective on these issues, and particular issues that might face insurers in obtaining quantum information in class actions at a sufficiently early stage.

<b>SPEAKER</b>	Nicholas Owens SC, Fifth Floor, St James' Hall
<b>COMMENTATOR</b>	Susan Donaldson, Head of Claims, Berkshire Hathaway Specialty Insurance
<b>CHAIR</b>	Paul O'Brien, Yeldham Price O'Brien Lusk

## 26 JULY

### SMART TECHNOLOGIES AND EMERGING PRODUCT LIABILITY RISKS

The 'Internet of Things' is a term that was coined to describe the connection of physical objects to the internet via sensors. The IoT has become a reality with 6.4 billion devices already connected to the internet and on average more than 5 million new devices connecting each day. Forecasts indicate that by the end of the decade more than 25 billion devices will be connected to the internet. The exponential growth of the IoT has been described as the Fourth Industrial Revolution, characterised by a fusion of technologies, which is blurring the lines between the physical, digital and biological spheres. Discover how businesses are being transformed and disrupted by the IoT and what challenges and opportunities this presents to the legal/insurance industries.

<b>SPEAKER</b>	Frank Zeichner, CEO, Internet of Things Alliance Australia
<b>SPEAKER</b>	Peter Leonard, Gilbert + Tobin
<b>CHAIR</b>	Lana Remedi, Kennedys

## 7 JUNE

### DUEL OR DUAL? WHEN TOO MUCH INSURANCE ISN'T ENOUGH

Since the High Court's decision in *Zurich v Metals & Minerals Insurance* it has been clear that a third party beneficiary has not "entered into" a contract of insurance so as to attract the operation of section 45 of the Insurance Contract Act (which renders "other insurance" provisions void in certain circumstances). But what about the other way around? Does section 45 apply where a third party beneficiary has entered into another policy? And what happens if both "other insurance" provisions are effective? These were some of the issues recently considered in *Lambert Leasing v QBE*. Lead counsel for Lambert Leasing, David Williams SC, will unpack the intricacies of this decision and Vanessa Maher will explain its significance for underwriters and claims personnel.

<b>SPEAKER</b>	David Williams SC, Level Nine Wentworth Chambers
<b>COMMENTATOR</b>	Vanessa Maher, Senior Vice President – Claims & Technology, Liberty International Underwriters
<b>CHAIR</b>	Ray Giblett, Norton Rose Fulbright

## 12 JULY

### THE KNOCKOUT BLOW: INSURANCE ASPECTS OF CAREER ENDING SPORTS INJURIES

Sporting injuries are a hot topic at present, with potential civil claims by high profile former players such as Alex McKinnon and James McManus attracting sustained media attention. Will Australia follow the lead of NFL concussions class action in the US, or will a different approach to liability be adopted? In this seminar we will consider:

- the current law on where liability for serious sporting injuries lies;
- whether a more equitable system is available;
- the insurance options available for players, clubs and sporting bodies;
- the player's perspective, from former Wallaby and current insurance Underwriter, Benn Robinson.

<b>SPEAKER</b>	Allistar Twigg, Snedden Hall and Gallop Lawyers
<b>COMMENTATOR</b>	Brett Duprez, Gow-Gates Insurance Brokers
<b>COMMENTATOR</b>	Benn Robinson, SLE Worldwide Australia
<b>CHAIR</b>	John Dillon, Clyde & Co

## 9 AUGUST

### INSURANCE IN THE INFRASTRUCTURE BOOM

With Australia's infrastructure boom continuing, how is the construction industry managing the significant risks from these mega-projects and how are insurers responding? What does the case law reveal? Leading Sydney barrister David Weinberger, of Level Nine Wentworth Chambers, will discuss recent developments and cases of interest. Lisa Mitchell, major loss examiner and construction claims specialist with AIG, will then share her insights into how the insurance industry has responded, and will provide us with her commentary from the claims perspective.

<b>SPEAKER</b>	David Weinberger, Level Nine Wentworth Chambers
<b>COMMENTATOR</b>	Lisa Mitchell, Major Loss Examiner and Construction Claims Specialist, AIG
<b>CHAIR</b>	Sybilla Waring-Lambert, Lander & Rogers

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# REGISTRATION FORM & TAX INVOICE

Complete this form and email to [events@aila.com.au](mailto:events@aila.com.au)

Emailing this form will be considered a definite booking.

Acknowledgement of individual seminar bookings will not be advised. Please retain a record of the seminars which you have booked.

**TIME** 4:15pm registration for a 4:30pm start. Networking and drinks from 6:00pm

**VENUE** Minter Ellison, Governor Macquarie Tower, Level 40, 1 Farrer Place Sydney

**First Name** \_\_\_\_\_ **Surname** \_\_\_\_\_

**Firm** \_\_\_\_\_ ☐ **Please tick if member of AILA**

**Address** \_\_\_\_\_ **Postcode** \_\_\_\_\_

**Email** \_\_\_\_\_ **Work Phone** \_\_\_\_\_

**Bring a Client: Name** \_\_\_\_\_ **Company** \_\_\_\_\_

I would like to attend the following seminars:

- ☐ All six seminars
- ☐ 24 May Managing Risks in M&A Deals
- ☐ 7 June Duel or Dual? When too much insurance isn't enough
- ☐ 21 June Quantum Leaps in Class Actions
- ☐ 12 July Career Ending Sporting Injuries
- ☐ 26 July Smart Technologies and Emerging Product Liability Risks
- ☐ 9 August Insurance in the Infrastructure Boom

## PAYMENT METHOD

### Online

Visit [www.aila.com.au](http://www.aila.com.au) for online registration

### EFT

Account Name: AILA NSW

BSB 033 172

Account number 455 168

Reference: please use the word TWILIGHT followed by the surname or firm name

### Credit Card

Please complete the form below

### Cheque

Send your cheque –

Made payable to Australian Insurance Law Association – to:

AILA, PO Box 2011, Forest Hill Vic 3131

Please Debit my (please tick)

☐ Visa ☐ Mastercard ☐ Amex

Card Number: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Expiry Date: \_\_\_\_\_ / \_\_\_\_\_ CCV: \_\_\_\_\_

Cardholder's Name : \_\_\_\_\_

Amount: \$ \_\_\_\_\_

Date: \_\_\_\_\_

These AILA events attract the following ratings per event:

Institute CIP 1.0 point

NIBA CPD 1.5 hours

AICLA 1.5 hours

MCLE and NSW Bar Association points may also apply.

## TAX INVOICE

ABN 81 052 374 713

### Members (including GST)

- ☐ \$88.00 Attendance at any ONE seminar
- ☐ \$440.00 Attendance at each of the six seminars
- ☐ \$25.00\* Bring a client (members only) per seminar
- ☐ \$330.00 "EARLYBIRD" registration (members only)

for six seminars (cut off date 19th April, 2017)

\*Bring-a-Client ticket numbers are limited

### Non Members (including GST)

- ☐ \$110.00 Attendance at any ONE seminar
- ☐ \$550.00 Attendance at each of the six seminars
- ☐ \$1100.00 5 registrations to all six seminars

(available to insurance industry only)

## MEMBERSHIP

It pays to be a member. Member benefits include seminar discounts. Joining the Association and attending the Twilights at the earlybird rate will save you \$220 (series earlybird registration is \$330 and series non-member cost is \$550). To find out about membership benefits and more, visit [www.aila.com.au](http://www.aila.com.au)

## ENQUIRIES

Vickie Saccaro/Elizabeth Lim

Phone: 1300 699 140

For registrations email: [events@aila.com.au](mailto:events@aila.com.au) or for general enquires, email [office@aila.com.au](mailto:office@aila.com.au)

[www.aila.com.au](http://www.aila.com.au)

**CANCELLATION POLICY** In the event of a registrant's inability to attend, a substitute delegate is welcome. No refunds will be given unless a notification of cancellation is received at least seven days prior to the event.

**PRIVACY POLICY** Refer to the AILA website for a copy of our privacy policy.