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**PRESIDENT'S REPORT
TO THE GENERAL MEMBERSHIP**

4 January 2013

This is a brief review of the activities of the Canadian Maritime Law Association since I last reported to the general membership at the Annual General Meeting held in Vancouver on 11 May 2012.

AGM and Seminar in Vancouver

The CMLA held its Annual General Meeting and hosted a seminar in Vancouver on 11 and 12 May 2012. Both events were very well attended. I am pleased to report that a new constituent member was added to our roster at the AGM, namely, the Association of Average Adjusters of the United States and Canada.

A highlight of the AGM was an informal dinner the evening of 11 May at two favorite Vancouver restaurants. The dinner provided a wonderful opportunity for CMLA members to mingle and socialize and, based upon the reports received from the participants, it was hugely successful. It is hoped that such a dinner will become standard at future AGMs.

The seminar held on 12 May 2012 was, as usual, very informative. All of the papers presented were quite excellent and will be a valuable resource for those who attended. The seminar papers have not been posted on the CMLA website as it was felt this would be unfair to those who paid to attend the seminar. The papers will eventually be put on the website but only after a reasonable delay.

A Special General Meeting was held following the AGM on 11 May 2012 to approve the continuance of the CMLA under the Canada Not-for-profit Corporations Act, S.C. 2009, c. 23, which came into force on October 17, 2011. The CMLA will henceforth function as a "non-soliciting corporation" subject to that statute, pursuant to Articles of Continuance and By-law No. 1, approved at the Special General Meeting. Among the advantages of the continuance of the CMLA under this new statute is the possibility of dispensing with the appointment of a public accountant as auditor of the corporation's books, a simpler and less expensive method of financial reporting being permitted.

Tom Hawkins, our West Coast Vice-President, is to be congratulated for his hard work in organizing the AGM and the seminar.

The 2013 AGM is to be held in Toronto on 6 June and there will again be a seminar on 7 June. Marc Isaacs, Central Vice-President, and his team are currently very busy making the preparations for these events which promise to be memorable. Please reserve these dates and plan to attend.

XVIII ICMA Congress

The International Congress of Maritime Arbitrators held its XVIII congress in Vancouver May 13-19, 2012. I attended the congress on behalf of the CMLA and am pleased to report that there were a large number of CMLA members at the events. It was a very successful congress due, in part, the participation of CMLA and its members.

Company of Master Mariners of Canada – Seminar – St. John – October 13, 2012

The CMLA co-sponsored a seminar with its constituent member, the Company of Master Mariners of Canada, in St. John on 13 October 2012. Robert Jette Q.C. was instrumental in organizing the seminar which was well attended and very successful.

CMI Beijing Conference

Every four years the CMI holds a major conference to address current issues in International maritime law. Such a conference was held this October in Beijing China. The topics included: a possible new convention governing judicial sales of ships; possible amendments to the Salvage Convention 1989; possible amendments to the York-Antwerp Rules; and the status of the Rotterdam Rules. A great deal of work was done by CMLA in the latter half of 2012 directed towards preparing CMLA positions on these various topics. The various committees involved are to be commended for their efforts, the fruits of which are on the CMLA website in the form of committee reports.

A very hard working group of CMLA representatives attended the Beijing Conference to advance the CMLA positions. Ultimately, there were no new conventions adopted at the conference and no significant amendments to any existing conventions were agreed to but, the Beijing conference has refined and reinvigorated the discussion on these topics and the CMI and CMLA expect future developments in relation to these issues. Further details on the issues addressed at the Beijing Conference can be found on the CMLA website.

It is noteworthy that the CMLA received some very good press at the Beijing Conference in relation to our website. I received many favourable comments regarding the website and, at the concluding session our website was referred to as an example for other MLAs to emulate.

I am pleased to report that Justice Johanne Gauthier, a former President of CMLA, was re-elected as a Vice-President at the Beijing Assembly of CMI and Nigel Frawley, again a past President of CMLA, remains the Secretary General of CMI.

Following the Beijing Conference an additional seminar was hosted by the China MLA in Shanghai. This was again well attended by CMLA members who enjoyed various tours and trips, the highlight being a trip to the new Port of Shanghai and the China Maritime Museum.

There were many members of CMLA who contributed to the success of the Beijing Conference either in the advance preparation of CMLA positions or in the advancing of those positions at the conference. Special mention must, however, be made of the contributions of David Colford, Paul Harquail, Marc Isaacs, John O'Connor, Vincent Prager, Doug Schmitt, William Sharpe and Cecily Strickland.

CMLA Website (www.cmla.org)

The CMLA continues to expand and develop its website in an effort to make it more useful for members. We remind members that there is a bulletin board on the website to be used to share ideas and news. Some of the other features of the website that you may find useful are:

- A fully searchable list of CMLA members with contact details;
- A fully searchable database of Papers and Presentations from CMLA sponsored seminars;
- A fully searchable database of recent AGM Reports and CMLA Submissions as well as full archives of past AGM Reports and CMLA submissions;
- A page for each committee of CMLA with a list of members, committee documents and other information of interest or relevance to that committee;
- Up to date News and Events pages; and
- The ability for members to change their address, password or other profile items online.

Peter Cullen, a Past President of CMLA, has been able to locate for us a digital version of the History of the CMLA, 1951-2001 which was prepared by the late John A. Cantello, a former Secretary-Treasurer of CMLA. This digital version of our history has now been placed on the website. We extend our thanks to Peter for locating the digital version.

CMLA Responses to CMI Cross-Border Insolvency Questionnaire

The CMI has established a working group to study how various nations address issues that arise when an insolvency proceeding involves more than a single country/jurisdiction. These so called "Cross-Border Insolvencies" can be very complex and unpredictable. In April of 2012 the CMI circulated a questionnaire requesting information as to how cross-border insolvencies were dealt with in the various jurisdictions of its national maritime law associations. In September of this year the CMLA provided the CMI with a very detailed response to its questionnaire. This document is on the CMLA website and contains a very thorough review of Canadian law relating to this difficult subject. You are highly encouraged to view it. I extend my thanks and congratulations to Doug Schmitt, Paul Harquail and others on the Arrest and Sale of Ships Committee for this document.

Other Items

I am very pleased to report that Cecily Strickland, a longtime Director of CMLA and the Eastern Vice-President was appointed a Justice of the Federal Court of Canada. The appointment was announced on 14 December 2012. Cecily has done a tremendous amount of work for CMLA over the years and she will be missed, however, we wish her the very best in her new career.

I regret to inform the membership that we have recently lost one constituent member, the Marine Insurance Association of British Columbia. The MIABC resigned its membership in the fall of 2012.

Upcoming Events

There are a number of events planned over the next 6 months that may be of interest to members including those in the table below.

18 January 2013	CMLA Board of Directors Meeting - Toronto
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22-23 May 2013	CBMU Semi-Annual Meeting - Saint-Sauveur, Québec
18 April 2013	CMLA Board of Directors meeting and Annual Meeting with Government Officials - Ottawa
6 June 2013	CMLA AGM - Toronto
7 June 2013	CMLA Seminar - Toronto

I would like to thank you for the continuing opportunity to serve as your President.

Yours Truly,



Christopher J. Giaschi
President
The Canadian Maritime Law Association