



## FROM THE INSTITUTE PRESIDENT, MICHAEL COOKE

At the end of May I had the opportunity with our Chief Executive to visit New Zealand for their Annual Conference and AGM. We also took the opportunity to meet with the Insurance Council of New Zealand CEO Tim Grafton and Insurance Manager John Lucas and attended the NZ Division Council meeting. The conference was excellent with high quality speakers and there was a very good camaraderie between members. Congratulations to Leon Briggs the Chairman and the NZ Division Council on a very well organised event.

I am delighted to announce that Mark Godfrey, from New Zealand has been awarded Life Membership of AICLA. The award was proposed by the NZ Division and unanimously endorsed by the Board at the meeting in May. Mark was the NZ Division Chairman and served as AICLA president for the period 2002 to 2004. Mark is a highly respected loss adjuster and has been a supporter of AICLA through the diploma course, training projects and conferences in Australia and New Zealand. He has played an active role in mentoring young loss adjusters.

Council elections are being held in Australia and the International Division during August and nominations for positions on Councils are being called. I encourage members to seriously consider being involved on your division council. It does take a little bit of time but the rewards far outweigh any costs. To be a successful organisation we need strong division councils. If you are interested in being involved and would like more information please contact your Division Chairman.

A number of members have taken the opportunity to upgrade their membership using the new more flexible pathways for elevation. An easy to follow Pathways Summary for Affiliate, Associates and Fellows is [attached](#). Also [attached](#) is Elevation Application Form for members to complete. Please ensure supporting documents accompany your elevation request.

It is subscription renewal time and members should by now have received a renewal advice. The form also contains member information for the 2014 diary and I ask that you renew your membership and check employer details etc. and return the form as soon as possible.

We have received some valuable information from members in regards to the history of the profession project. This information is much appreciated and if any member has information of a historical nature please forward it to Tony Libke at [adminoffice@aicla.org](mailto:adminoffice@aicla.org)

The ICA Code of Practice review has been completed by Ian Enright and the report presented to the ICA Board. ICA has advised AICLA that they are considering recommendations contained in the report and anticipate making an announcement after fully assessing the report.

CC13 registrations are now in full swing and I hope to see many numbers attend what has become the major convention for claims. With an excellent programme CC13 is looking to attract a record number of attendees. The programme will feature key note speakers Bud Trice, V.P. Crawford Catastrophe Services from the United States and Daniel Fogarty, CEO General Insurance Zurich Group.

The Trainee Loss Adjusters' Workshop will be held in Sydney on Wednesday 31 July the day prior to the CC13. We are grateful to those members who are offering their time to pass on to those relatively new to the profession some insights in such practical areas as, calculating a reserve, survey of risk-adequacy of cover, case studies and interviewing techniques. More information about the workshop can be found later in the newsletter.

August will be a busy month for ANZIIF events starting with the AICLA/ANZIIF Claims Convention followed by the popular ANZIIF Insurance Industry Awards on 14 August and In the Room a leadership conference on 15-16 August. Details on these events can be found in the ANZIIF website [www.theinstitute.com.au](http://www.theinstitute.com.au)

Kind Regards,  
Michael Cooke

## 2013 CLAIMS CONVENTION SYDNEY



The 7th Claims Convention will be held at the Westin Hotel Sydney 1-2 August 2013.

Significant discounts are available for individual and groups (5 or more from the one organisation) for bookings made by 5 Jul 2013. An early bird registration prize of a Mont Blanc pen is being offered.

[Click here for a copy of the brochure and registration form](#)

## ON-LINE CONTINUING PROFESSIONAL DEVELOPMENT (CPD)

### NEGLIGENCE AND VICARIOUS LIABILITY

Like all potentially long-tail cases, those that centre around liability can be challenging. This is more complicated where an insured entity is deemed responsible for the action of some other person, ranging from employees (relatively straightforward) to the more difficult concept of contractors (often anything but straightforward). In the latter case, the law has shown that the degree of control exercised by the insured and the degree of independence exercised by the wrongdoer are both critical elements and central to the case.

In CPD 051 we look at this issue in some depth and explore the contrasting cases of *Stevens v Brodribb Sawmilling Company Pty Ltd* [1986], *Hollis v Vabu Pty Ltd* [2001] and *Sweeney v Boylan Nominees Pty Ltd* [2006]. All these cases went to appeal as far as the High Court (and even then there were some dissenting findings), and it is instructive to note how the finding of the

various courts differed and how the element of precedent was dealt with.

Although the involvement of adjusters in legal cases is usually limited to the preliminary gathering of facts and reporting (with safeguards) to the insurers' legal representatives, most of us are interested in the final — and sometimes surprising — outcome of these cases.

Remember, you can access our on-line CPD facility at any time. Simply click on the hotlink below, or navigate through 'Professional Development' on the AICLA website Home Page. Members should use the User Name **cpduser** and the password **aiclapd**. Your web browser may offer the option: 'Remember this password'.

We look forward to seeing you there! [Go to on-line CPD now...](#)

## ICA CLAIMS DATE

The following claims data as at 30 May 2013 has been provided by ICA:

### CAT 131 – Tasmanian Bushfires

Total Claims	1,787 ( <i>incl 3 denied</i> )	Average Claim Value
Total Approximate Cost	\$89.2 million	
Avg Dollars Paid PWD	\$0.88 million	
Property Claims	64% closed (up from 50%)	\$119,878
Contents Claims	83% closed (up from 80%)	\$14,941
Domestic Motor Claims	77% closed (up from 64%)	\$9,036
Commercial Property Claims	48% closed (up from 40%)	

### CAT 133 – QLD Storms Flooding

Total Claims	85,501 ( <i>incl 698 denied</i> )	Average Claim Value
Total Approximate Cost	\$979 million	
Avg Dollars Paid PWD	\$1.99 million	
Property Claims	41% closed (up from 27%)	\$10,210
Contents Claims	55% closed (up from 44%)	\$4,498
Domestic Motor Claims	67% closed (up from 52%)	\$7,608
Commercial Property Claims	51% closed (up from 33%)	

### CAT 134 – NSW Storms Flooding

Total Claims	19,511 ( <i>incl 423 denied</i> )	Average Claim Value
Total Approximate Cost	\$122 million	
Avg Dollars Paid PWD	\$0.98 million	
Property Claims	29% closed (up from 17%)	\$5,582
Contents Claims	57% closed (up from 45%)	\$2,718
Domestic Motor Claims	60% closed (up from 47%)	\$5,862
Commercial Property Claims	40% closed (up from 29%)	

## CAREER IN LOSS ADJUSTING

An information Kit "A Career in Loss Adjusting" has been recently updated to include new information. The Kit has very useful information about AICLA, Recognition of Prior Learning (RPL), Career Pathways etc. and is a valuable resource for members and those wanting to enter the profession. A **copy of the kit is available** on the AICLA website [www.aicla.org](http://www.aicla.org).

## INTERNATIONAL

The international Division Council meeting will be held on 22 August 2013 via telephone hookup. Nominations have been called for the Council. Long serving Councillor and former Division Chairman and AICLA Deputy President James Ong from Malaysia has announced due to family and travel commitments he will be retiring from the Council but will remain an active member.

## QUEENSLAND

The Division AGM will be held at Broncos Club Red Hill on 22 August 2013. The AGM will be preceded by a presentation on Mould, Issues and Hazards. A flyer will be forwarded to members in the near future.

## VICTORIA

The Victorian Division held a very successful seminar and drinks session on 29 May at the RACV Club in Melbourne. There were over 100 attendees ranging from loss adjusters, claims managers, assessors, building consultants, and also professionals in housing development. The Victorian councillors did a tremendous job in advertising the event.

There was plenty discussion from the loss adjuster's point of view with a presentation by Bob Richards of Cunningham Lindsey and also from the builder's perspective with a presentation by David Cameron of Johns Lyng Group with attendees also getting involved with great questions and valid points being raised. Narelle Handley of Cunningham Lindsey also did a commendable job as the facilitator for the seminar.

The venue was awesome with a large room and balcony area and the drinks and canapés were delicious and true to Club RACV.

On behalf of the Victorian Division we thank all that attended and we look forward to the next event and also the annual **Christmas Function** that is in the midst of planning. This year the Christmas function is promising to be bigger than the years previous and will be held on Monday night 9th December at this stage. So pop it in your diary, it promises to be a great night!

## SOUTH AUSTRALIA

### Annual General Meeting

Please be advised that the Annual General Meeting has been scheduled to occur at 4.30pm at the Goodwood Park Hotel on Thursday 15 August 2013. Information will be circulated shortly about nominations for council positions.

## 2013 Formal Luncheon

The 2013 formal luncheon has been booked for Friday 13 September 2013 in the Star Room at the Adelaide Entertainment Centre. We are currently finalising arrangements for our guest speaker and will circulate more information about the luncheon in the near future.

## Education Seminar

We are currently in the process of planning an afternoon Education Seminar to be held in the latter part of 2013. The seminar is likely to include an independent discussion on asbestos/mould/current safe work practices and/or other similar topics of relevant interest. The seminar will coincide with a visit from our new President Michael Cooke and AICLA CEO Tony Libke, who plan to meet, greet and update members on AICLA's current position. We intend to have drinks and finger food at the end of the session. As considerable time and effort is expended to arrange such an event, we hope that all members and non-members make the effort to attend as it will be an interesting and relevant seminar. It will also be the best opportunity for you to meet Michael and Tony and to discuss any issues or queries you may have with AICLA direct with them. More information will be circulated in the near future.

## WESTERN AUSTRALIA

The WA Division had a recent presentation from Ken Raine manager of the hazard response section of the WA Department of Conservation. Ken showed slides and video clip information on some losses in the last 12 months and also frightening dollar figures to demonstrate the need for Adjusters to quickly identify possible contamination issues and assist insureds and insurers with advice as to how to expeditiously contain the contamination from fire and other incidents, before they become expensive issues that ultimately will be charged back to property owners or maybe against liability cover for inactivity. Ken has kindly presented for us before with overviews of some of the major events we have had in Perth and is always an interesting and welcome guest.

## CPD RECORD SHEET

Members are asked to monitor their Continuing Professional Development activities by regularly updating the [attached CPD Record sheet](#).

The record sheet should be retained by members and is required to be submitted to the AICLA office if an application for elevation in membership is made. Also Associates and Fellows who wish to use the term "Chartered Loss Adjuster" must maintain CPD accreditation ie. 30 hours pa of qualifying activities.

## TRAINEE LOSS ADJUSTERS' WORKSHOP

A Trainee Loss Adjusters' Workshop will be held at the Novotel Rockford Darling Harbour on Wednesday 31 July 2013. The event is open to members and non-members and presenters will cover a range of practical areas important to the successful conduct of claims assessment. The cost is only \$77 and the flyer and registration form is [available here](#).

## NEW AND ELEVATED MEMBERS

Congratulations to the following recently admitted and elevated members:

### NEW MEMBERS

Name	Class	Division
Isaebastian Fick	Provisional	Queensland
Katrina Far	Provisional	New Zealand
Angelina Pulsonl	Affiliate	Victoria
Walid Jishi	Affiliate	International
Nick Mann	Affiliate	South Australia
Jason Lawrence	Provisional	New South Wales
Deborah King	Provisional	South Australia

### ELEVATIONS

Name	Class	Division
Vijayandran Subramaniam	Associate	International
Peter Drinnan	Associate	New South Wales
John Kanard	Fellow	New South Wales
Debbie Avery	Affiliate	South Australia



## SENIOR LOSS ADJUSTER – BRISBANE

YDR is an independently owned firm of Chartered Loss Adjusters, Engineers and Surveyors who provide services to Australian and International principals.

Established in 1992, YDR employs multi-qualified adjusters to provide prompt and technically accurate reports for large and complex claims.

Recognition of this service by our valued clients has resulted in sustained growth across Australia including the recent opening of our Brisbane office.

We are seeking a qualified and experienced Loss Adjuster to compliment our Brisbane operation and assist with the expansion of YDR in Queensland.

The role will include developing and maintaining a portfolio of complex claims, including ISR, Contract Works and Liability matters.

YDR prides itself on being a unified group of professionals with a focus on providing a quality product for our clients. Our structure enables qualified and experienced adjusters to be remunerated at or above market rates whilst maintaining a sustainable work life balance.

For further information please visit our website [www.ydr.net.au](http://www.ydr.net.au) or contact Jeremy Twelftree on 0438 431 050.

Applications will be treated in strictest confidence.

Applications for this position close on Friday 14 June 2013.

Please direct same to:

YDR Chartered Loss Adjusters  
134 Goodwood Road  
Goodwood SA 5034

or via email to [ydr@ydr.net.au](mailto:ydr@ydr.net.au)

Position description is available upon request.



## BRANCH MANAGER – LOSS ADJUSTING SERVICES, PARRAMATTA OFFICE

Cunningham Lindsey Australia Pty Ltd, a leader in Global Risk Management Services, is seeking to employ suitably motivated and qualified people to join our expanding operations.

We are looking for a Branch Manager for our Loss Adjusting operations in our busy Parramatta office.

### What's in it for you

The role as a Branch Manager works very closely with the Regional Leader along with other divisions in our business – Sercon Building Services, Oriel Property Services, Niche Services and Business Development.

You will be provided with support in the role from your Regional Leader and peers across our network.

Your package will be commensurate with qualifications, skills and attributes you will bring to the role. Additional benefits include company motor vehicle, mobile phone, laptop and bonus scheme.

### What we need

We are looking for the right people who will deliver, if not exceed, the required annual budget for their branches which will include marketing and business development and continuous improvement of service through mentoring and supervision.

You also should have the following:

- Unbelievable communication skills in dealing with internal and external customers along with being able to relate and engage your staff
- Strong organisational and time management skills
- At times able to work under immense pressure and still be able to deliver on deadlines
- Strength, foresight and ability to strategise and grow you and your area
- To service existing clients and market to new/potential clients
- Management experience and results driven
- People Management experience across different business streams
- A loss adjusting background is preferred

If you believe you have what it takes then please send us your covering letter and resume to [recruitment@cl-au.com](mailto:recruitment@cl-au.com)

To learn more about our organisation visit our website [www.cunninghamlindsey.com](http://www.cunninghamlindsey.com)

All applications will be treated in strictest of confidence.

Cunningham Lindsey Australia Pty Ltd is dedicated to elimination discrimination and contributing to equal opportunity in the workplace.

## GENERAL PROPERTY ADJUSTERS – NEW SOUTH WALES, VICTORIA, SOUTH AUSTRALIA



### Specialist Lines Adjusters – All States

Following the recent equity restructuring of Australian Network Adjusters (ANA), we have now set up a stronger management team. This has been unanimously endorsed by all our clients. To maintain our ongoing commitment to our clients and prior to signing any new service contracts with new specialist insurers, we are looking to expand our network of offices in New South Wales, Victoria and South Australia. As a result of this we would like to invite additional independent loss adjusting companies to join us as ANA Network Members.

We are currently looking to engage Network Members (independent adjusting companies) with expertise in general property adjusting (NSW, VIC and SA) and specialist adjusting (All States). We expect that you would be an experienced adjuster working on your own or employing a few adjusters, have experience in handling all types of Property losses and / or as a Specialist adjuster in the fields of Liability, Contract Works, Business Interruption and Marine claims.

In addition, ANA also operates as VRS ANA, the Australian partner of VRS Global, an international network of over 300 adjusting companies from more than 70 countries and with adjusting nominations on over 100

international corporate accounts. This partnership has led to ANA receiving a number of major loss appointments in Australia and as such we are looking to invite additional independent specialist adjusters to complement our current specialist team and assist in servicing this program.

Since the inception of the business 14 years ago, we have earned an enviable position in the market as providing one of the best claims handling services. The Company's competitive advantage and growth strategy is based on using the best people to deliver our proprietary developed Process Management System to Clients who value knowledge based expertise, experience and personal service. Our business model of strategic alliances allows us the flexibility to form partnerships with companies who share this vision.

If you want to continue to be an independent operator but are willing to comply with ANA's service and compliance standards and share the benefits of the support and assistance of a national management company, with international partnership then we would like to hear from you.

We are an organisation who value professional development and training. Membership of AICLA or willing to join would be an advantage.

Please direct all applications to [recruit@ana.net.au](mailto:recruit@ana.net.au) or call Managing Director, Jaye Kumar on 0418 922 755 for further details.

All enquiries will be handled in strict confidence.



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

The cost is 200.00 (+ 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.