



## FROM THE INSTITUTE PRESIDENT, MICHAEL COLLINS

Dear Colleagues

On 17 November 2015, a significant bushfire began in the coastal town of Esperance, Western Australia. Tragically, 4 people lost their lives, 3 houses were destroyed and about 130,000 hectares of bushland and cropping land was destroyed. It was a very hot day (40 degrees Celsius) with a wind speed of about 100km/h.

Just on a week later, a significant bushfire began in the small farming community of Pinery, South Australia, some 2,100 kms from Esperance. Tragically, this fire claimed the lives of 2 people and injured another 30, 5 of whom are still critical. The fire reportedly destroyed 90 homes, 388 farm sheds, 93 farm machinery, 98 vehicles and a large number of livestock.

This fire occurred in slightly cooler conditions however it was fanned by ferocious winds. By comparison, the Sampson Flat fires, which also occurred in South Australia (my home state) in January 2015, destroyed about 12,500 hectares over a period of days whereas the Pinery fire destroyed about 85,000 hectares of farming land in a matter of hours and had a fire front of 210kms.

Some of the local people reported to the media that they had no opportunity to leave their property as the fire arrived with such speed that many of them were caught unaware. One local resident reported that the fire was travelling in a paddock alongside of her faster than what she could drive.

Amazingly, both of these fires occurred in the Australian spring. Bushfires in Australia are a common occurrence however many of them have traditionally occurred in summer. The weather forecasters have predicted a very long, hot and dry Australian summer so on that basis more bushfires in the coming months should reasonably be expected.

Loss Adjusting by the nature of our profession can be very hazardous and Loss Adjusters are often exposed to significant risks when responding to an emergency.

Not only is there a need to do so but there is also an expectation that Loss Adjusters will respond almost immediately after the primary threat has passed.

The point of this editorial is to remind members to exercise extreme care when responding to any kind of loss but especially to losses of this magnitude. We all know that every site visit following a catastrophe is urgent in the truest form of the word and that the work related pressure becomes intense. The days are long, the emotions are high, and the client demands for reports and updates are continuous so it doesn't take long before fatigue sets in.

And whilst the primary threat (in this example the fire) may have passed before any Loss Adjusters are permitted to enter the area, the risk of injury and loss from secondary physical hazards remains high. For example, asbestos in damaged buildings, arsenic from burnt fence posts, loose debris, injured and scared animals, snakes, barbed wire, solar panels still producing power and other hazards such as long distance driving need to be fully managed and assessed by us all.

So please take care wherever you are working, whatever you are assessing or whoever you are working for. Your safety first is absolutely paramount.

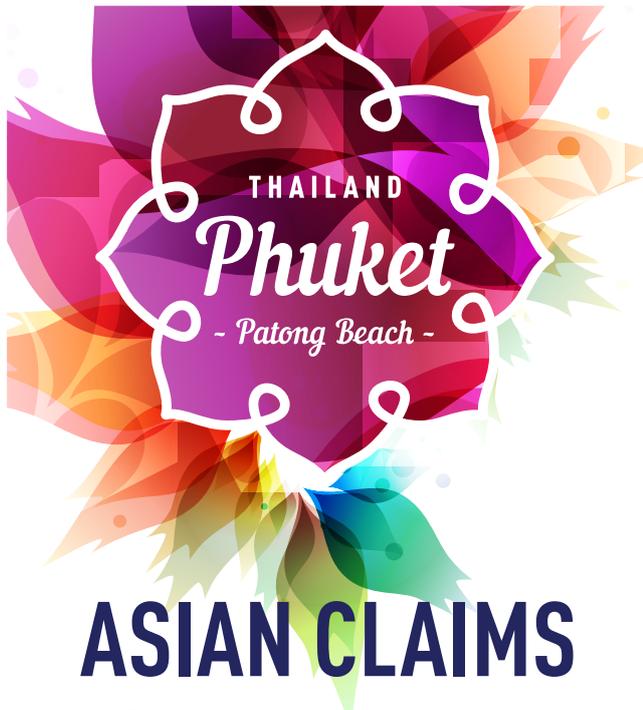
On Friday 13 November 2015 I attended the QLD Division annual luncheon held at the Brisbane Club. It was a record attendance and the guest speaker was Laura Geitz, the captain of the Australian Diamonds netball team. Laura was very inspirational and is an excellent example of how determination, hard work and having a vision has helped her to achieve her dream at the age of only 28.

During her presentation Laura made specific reference to the word 'complacency' and how vulnerable she would be if she dropped her game (so to speak). Laura emphasised the point that everyone on the team must continue to work hard to keep their position and if anyone became complacent their spot should rightfully be challenged. I think there is something in that for all of us.

**Until next time**

**Michael Collins**

**President - AICLA**



# ASIAN CLAIMS CONVENTION

The Asian Claims Convention will be held in Phuket Thailand on 20-21-22 April 2016.

The venue for the event will be the Grand Mercure Phuket, Patong Beach.

[CLICK HERE FOR PROGRAMME AND REGISTRATION BROCHURE](#)

## NEW AND ELEVATED MEMBERS

Congratulations to the following recently admitted and elevated members:

### NEW MEMBERS

Name	Class	Division
Fian Chew	Affiliate	Int (Malaysia)

### ELEVATIONS

Name	Class	Division
Pongpat Leelaratanakul	Associate	Int (Thailand)
Jon Capper	Fellow	Queensland

## ON-LINE CONTINUING PROFESSIONAL DEVELOPMENT (CPD)

### INSURANCE CONTRACTS ACT 1984

Readers of these pieces and participants in our On-line Continuing Professional Development program range from the highly experienced and sometimes battle-weary adjusters to the bright eyed and bushy tailed 'new boys/girls'! This month we feature a paper especially for beginners to the craft of loss adjusting, although others may wish to brush up on their legal knowledge.

The central piece of legislation that governs all that happens in the general insurance industry is of course the Insurance Contracts Act 1984, and associated Regulations, both of which are amended from time to time. The Act has been in force for a long time now, although many older adjusters will have practised before its inception and will be well aware of the ways in which it changed practices in the industry — an industry perceived by many (rightly or wrongly) before the Act as being guilty of some repressive attitudes and actions.

Whatever was the real truth, this perception was enough to propel the Insurance Law Commission and the famed Justice Kirby into action, and the Insurance Contracts Act 1984 was the result.

Although a legal dispute — which is when the Act may be closely dissected in a courtroom — is invariably handled by solicitors acting for the insurer, avoiding such a dispute includes knowing when some action may be in breach of the Act. For example, when might subrogation be impossible and what happens when subrogation proceeds exceed the claim settlement? And just how does Section 54 rule out some previous procedures?

In our paper on the Act, which you will find at CPD 078, we look at these and the other sections in the Act which are especially relevant to Loss Adjusting. This is necessarily a long paper and is rated at 2 CPD points.

To access the paper in our on-line CPD program, navigate on our website through 'Professional Development' on the AICLA Home Page. Members should use the User Name **cpduser** and the Password **aiclacpd**. Your browser may offer the opportunity to 'Remember this password'.

We look forward to seeing you there!

[Go to on-line CPD now.](#)

# DIVISION NEWS

## NEW SOUTH WALES

The NSW Division hosted a half day ISR workshop in Newcastle on Thursday 12 November.

The workshop followed by networking drinks was held at the Merewether Surfhouse which has spectacular ocean views. The day was well supported with around 45 attendees overall from local area brokers, insurers and loss adjusters.

The highlight of the day was a detailed account of the Great fire of London from Steve Grandidge which we now know originated in Pudding Lane!

Many thanks to local loss adjusters and the NSW Division Councillors who assisted in organising the event and providing support on the day. Great feedback was provided by the attendees.



## QUEENSLAND

The Queensland division end of year lunch was held Friday the 13th of November at the Brisbane Club and was a well-supported, popular event.

Over 100 members, guests and sponsors, including AICLA President Michael Collins, were in attendance.

Current Queensland & Australian netball captain Laura Geitz was guest speaker for the event and shared many stories about her drive, persistence and tenacity to become the champion she is today.

The Brian Geraghty Prize, recognising the highest mark achieved by a QLD member in a module in the Diploma of Loss Adjusting, was presented to Thomas Murphy from Cunningham Lindsey.

Thanks to all who contributed to the days success, photos from the event can be [FOUND HERE](#).

## VICTORIA

### LAST CHANCE!! ALMOST SOLD OUT!! AICLA Victorian Division Christmas Gala

This is your last chance to secure one of the limited seats remaining at the AICLA (Vic) Christmas Gala, to be held at:

#### Crown Palladium Thursday 10 December 2015 at 7pm

This year promises to be the biggest and best gala yet, with entertainment from:

#### The Sam Ludeman Band



Australian television audiences first became aware of Sam Ludeman when he was chosen by Seal to be a core member of Team Seal in the first series of Nine Network's 'The Voice'.

Sam has since had a number of starring roles in a number of musicals, theatre and television shows. Don't miss Sam and his band light up the stage at Crown! Partners welcome!

#### Member Suggestions

The Victorian Committee is always open for suggestions on events, forums, training etc. of interest to members.

We invite you to email us at [vicdiv@aicla.org](mailto:vicdiv@aicla.org) with any feedback.

We encourage you to visit us at our [LinkedIn](#) page and contribute to any discussions, propose topic ideas and start your own industry-related conversations.

**Type: AICLA (Vic) Victorian Division** into the LinkedIn search bar to find us.

## WESTERN AUSTRALIA

The final division meeting for 2015 was held on the 17th November. The members attending enjoyed the talk and discussion with Bob DE Groot, President of the Master Painters Association of Tasmania and Victoria.

The topic was "Lead paint- it's removal hazards and environmental problems.