

**MEETING MINUTES**  
**PG TRANSPORT & INSURANCE LAW**  
**6 AND 7 NOVEMBER 2009 MALTA**

**Friday Program**

Attendants:

- Peter van Dam (PD)
- Anthony Galea (AG)
- Spiros Gallos (SG)
- Peter van Gog (PvG)
- Bram Marcus (BM)
- Herman Naeyaert (HN)
- John Wolfs (JW)

1. First stop of the Group is at the Malta Maritime Authority (MMA). Home of (amongst other things) the Malta Registrar of ships. The group is met by Mr. Ivan Sammut (registrar of ships), Mr. Peter Bugeja (assistant registrar) and dr. Robert Vassallo, who give an extensive and very interesting expose about the activities of the MMA. Special attention is given to the challenges the MMA has faced because of Malta's membership of the EU since 1995: the striking of substandard tonnage from the register, the attention to safety procedures, and so on. Afterwards the group is shown the Port Authority communication centre, where harbour master, captain Bugeja, explains about the port authority activities.
2. After the coffee break the group visits the Malta Courts and has a quick look at a criminal case in session.  
Next stop is a visit tot the Maltese Arbitration Centre (MAC), where the group is met by dr. George Hyzler, chairman of the MAC. Mr. Hyzler explains the activities of the MAC, in particular its ambition to become a relevant player in international arbitrations. For this purpose the MAC tries to be as flexible as possible, facilitating arbitration hearings all over the world.
3. The last meeting at the Ministry of Transport is cancelled due to unforeseen difficulties with the agenda of the assistant to the Minister.

## Saturday Program

### Attendants:

- Liane Allmann (LA)
- Peter van Dam (PD)
- Anthony Galea (AG)
- Spiros Gallos (SG)
- Peter van Gog (PvG)
- Bram Marcus (BM)
- Herman Naeyaert (HN)
- Agnieszka Sucheska (AS)
- John Wolfs (JW)

### Absent with notice:

- Christian Bock (CB)
- Petri Eskola (PE)
- Gerhard Frank (GF)
- Ewoud de Vidts (EV)

1. JW and BM open the meeting. They welcome Herman Naeyaert and Agnieszka Sucheska as new members of the Practice Group.
2. AG gives a presentation about Maltese transport law<sup>1</sup>.
3. After the coffee break the group discusses the future activities of the PG:
4. It is the general opinion of the members present that the answers to the questionnaire on General Terms and Conditions are, although very interesting for lawyers and the like, too complicated and detailed in view of the target group that we try to reach with this document (clients and potential clients, branch organizations etc.). In order to make future documents by the PG easier to access for this target group, the answers to the future questionnaires will have to be shorter and of a more general character. One has to keep in mind that for the target group, the document presented by the PG

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<sup>1</sup> the presentation is published on the PG's page on the EJI website

only has to have a “signalling function” on possible difficulties in the jurisdictions of the PG on the matter concerned. The aim is to entice clients and potential clients to get in contact with the (members of the) PG whenever they encounter a problem in the field of transport and insurance law. The goal is not to provide the target group with extensive solutions and/or knowledge up front.

5. The next topic to be addressed by the PG on the occasion of the next Eurojuris International event will be arrest. The focus will be on arrest of means of transportation (ships, aircrafts, trucks etc.), but some attention will be paid to arrest of other assets (third party arrest etc.). BM will write the questionnaire and send it out, to be returned by the members not later than first of May 2010.
6. JW will make a summary of the answers to the questionnaire on General Terms and Conditions, bringing the document down to about 10 pages. LA will draw up a press release that can be sent out.
7. Next the group discusses the further distribution of this and future documents of the PG. It is decided that each member, for its own jurisdiction, will gather contact data of people and organizations possibly interested in the activities and work of the PG. PvG suggests that each member will send out the press release by himself to his or her contacts. This makes it possible to give a personal touch to the distribution of the document. This suggestion is supported by the other members and will be followed.
8. PvG further suggests that the PG will try to bring the PG to the target group instead of trying to draw potential clients to the activities of the PG. I.e. there are many seminars, conventions, meetings etc. by branch organizations in transport and logistics, which could be visited by (some of the) members of the PG, or the PG could organize an activity/meeting of the PG parallel to such a branch organisation event. For instance the “Europort Fair” which is held in Rotterdam could be attended by the PG members, or the PG could even have a stand over there. The members are asked to think about this and come up with suggestions.
9. Next the venue for the EJI PG Days 2010 is discussed. The PG Days will take place in Marrakesh, Morocco. It is the general feeling among the members that this location is, though exotic, not very practical in terms of accessibility, costs and business

development opportunities. Most of the members are reluctant to fly to Marrakesh in order to attend the PG Days. It is felt that in view of the character of the PG Days, those should be held at a more convenient location in the centre of Europe. JW and BM will address this issue in the PG chairman meeting.

An alternative would be to have the next PG meeting at the occasion of the Eurojuris Deutschland Frühjahrestagung in Augsburg, which will take place 12/13 March 2010 or at the occasion of the Jurismus convention in Maastricht during the weekend of 25 June 2010. JW and BM will look further into this matter and inform the members.

10. Next issue is the fact that the PG still has no members from England, France, Spain and Italy. It is felt that the PG should have at least one member in each of these jurisdictions in view of the important role these jurisdictions have in international transport.

HN will get in touch with Thierry Clerc and ask him to look for a French lawyer on transport law. LA will get in touch with Eurojuris Spain and will ask for the same there. AG and PvG will try to find a lawyer in the UK.

AG points out that for England the difficulty is that most of transport law is done by people working for large law firms, which are not in the Eurojuris network. Suggestion is made that we turn the issue around: instead of trying to find an existing Eurojuris member to become member of the PG, we can try to persuade existing contacts of PG members, who are not yet a Eurojuris member, to become a Eurojuris member and member of the PG.

11. JW points out that on the Eurojuris International website a search (by clients) for - for instance - a lawyer in the field of transport law does not deliver a result that clearly distinguishes lawyers who happen to also practise transport law from the real transport specialists. It is the feeling of the PG that membership of a PG and the efforts and time that takes with it, should result in a clear benefit for the PG members. For this reason the Eurojuris International website should show the members of a PG at the top of the list and indicate them as specialists. JW and BM will address this issue in the PG chairman meeting as well.

12. Thanking the members of the PG and AG in particular for all his efforts with respect to the Friday program, JW and BM close the meeting.

<b>What</b>	<b>Who</b>	<b>When</b>	<b>Done</b>
1. Make summary of questionnaire GTC	JW	1 December 2009	
2. Make press release on PG and PG document	LA	1 December 2009	
3. Make new questionnaire on arrest	BM	15 January 2010	
4. Fill out new questionnaire and return to BM	All	1 May 2010	
5. Gather contact data for distribution of documents	All	Asap	
6. Contact Thierry Clerc on French transport lawyer	HN	Asap	
7. Contact EJ Spain on Spanish transport lawyer	LA	Asap	
8. Try find UK lawyer	PvG/AG	Asap	
9. Think about "bringing PG to clients"	All	Next PG event	
10. Register as PG member with Eurojuris (via website)	HN and AS	Asap	