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| <p>Issue 3 - October 2010</p> | <p style="text-align: center;"><i>IAMA PULSE</i></p> |
| <p>Inside this issue:</p> <ul style="list-style-type: none"> • From the CEO • From the President • 2011 IAMA National Conference • Current Initiatives: <ul style="list-style-type: none"> ▪ Arbitration ▪ Adjudication ▪ Mediation ▪ Membership ▪ Probity • New Members <p>FROM THE CEO:</p> <p><i>“We are on an early journey in the development and adoption of new processes and systems to improve the satisfaction of IAMA’s Members and increasing IAMA’s share of the ADR market.”</i></p> <p><i>“Changes in the operational structure have returned IAMA to a positive financial position, giving us the resources to pursue investment in IAMA’s growth.”</i></p> | <p>FROM THE CEO</p> <p>In accordance with the strategic intent of the Board of IAMA, we are striving to set a benchmark to position IAMA at the forefront of ADR knowledge, training, practice and delivery. I am pleased to confirm I will continue to honour this philosophy throughout the rest of 2010 and beyond.</p> <p>It is interesting that, as the new CEO, I have had the full range of commentary on IAMA’s history and reputation, but consistently the message has been that IAMA is the preeminent organisation developing ADR professionals and practice, and it is on this platform that the future of IAMA can be built.</p> <p>Recent media reference to high profile mediation cases has been wide ranging from negotiations on nuclear waste dumps (Federal Govt and Northern Lands Council); land subsidence (class action against Qld Govt), scuttling of HMAS Adelaide, and of course, the DJs matter. ADR is increasing in delivering results and public awareness, which directly will lead to an increase in the role of IAMA.</p> <p>In addition to organisational changes within IAMA, we are seeing some fundamental shifts in the position of ADR in the legal landscape in Australia. NSW has enacted the Commercial Arbitration Bill, with other states soon to follow. In the last month I have had contact with both Federal and State government agencies that want to develop and provide Mediation and Arbitration skills to their in-house lawyers.</p> <p>Increasing the role of IAMA will mean changing the way we deliver services to our Members. We are on an early journey in the development and adoption of new processes and systems to improve the satisfaction of IAMA’s Members and increasing IAMA’s share of the ADR market. The new Committee structure is generating innovative dialogue and delivering a strategic set for the Board of IAMA to implement.</p> <p>The journey into the third quarter of 2010 would not be complete without a review of IAMA’s financial position as we head to our financial year-end. Changes in the operational structure have returned IAMA to a positive financial position, giving us the resources to pursue investment in IAMA’s growth. In particular, we will be investigating options for web design, integrated membership systems, electronic payments and lodgements. This quarter will also see the development and acceptance of business plans for 2011 that are focused on sustainable growth.</p> <p>I sincerely thank those volunteers and staff who have contributed intellect, effort and time to make necessary changes in the way IAMA operates and positioning the organisation for an exciting future. I am proud to be part of that bright future.</p> <p>Peter Shears Chief Executive Officer</p> |

FROM THE PRESIDENT

You all know the old maxim “united we stand, divided we fall”. Some of you may have never considered its application to IAMA. Some may be wondering its application. I think there are several but on this occasion I wish to develop just one.

There will be some of you that are unaware that the elected National Councillors are the directors of IAMA. IAMA’s directors have a duty to ensure the good governance of the organisation providing accountability (incl monitoring and supervising) and strategy formulation (incl policy formation). Under the *Corporations Act 2001* IAMA’s National Councillors, although voluntary, may face (potentially significant) personal liability arising from IAMA’s performance.

As I mentioned during my June and July Chapter visits, it is my view that it is appropriate that the way in which our National Councillors are appointed is changed. Given the present election processes for Chapter Committee and National Council positions (and the subsequent executive elections by the members of those groups) it is the exception rather than the rule that a Chapter Chair is also a National Councillor.

In my view that outcome is less than ideal. I believe that the governance of IAMA would be significantly stronger if all Chapter Chairs were appointed to the National Council. I consider it would bring greater solidarity between the Chapters and the Council; breaking down any silos that still remain. It would also ensure that those directors charged with policy formation and accountability are in a position to implement that policy and be more accountable for doing so. It would also ensure that the directors, when making that policy and direction, would have the benefit of direct input from each Chapter Chair. A real win-win; such a structure would, hopefully, ensure that we never again suffer the disharmony of 2009 or the associated poor financial results - something that all members should hope never recurs.

If there is national solidarity the impost for Chapter Chairs in such a change is minimal. Indeed there is argument that it could reduce as all energy is able to be focused on moving forward united without battling silos. I say this with the experience of one who has been both Chapter Chair and concurrent National Councillor. Unity streamlines workloads as each Chapter is nationally aligned. Our power is in our members and our members primarily interact at Chapter level. Accordingly, there can be no doubt that the heart of our organisation, where the effort and workload is really devolved, is the Chapters. These proposed changes will improve the balance by giving the Chapters better representation; they also correct the present imbalance where, on most occasions, those carrying the liability for the organisation have little power to implement controls on the ground by having the Chapter Chairs share in that liability.

I put this proposition in a paper to the Council in July, it was resolved to instruct the Practice Notes, Rules and By-laws committee to draft proposed amendments to the Constitution to facilitate this change. Those amendments would: amend the present provision that each “*large chapter*” has a Council position such that that position would be filled by the Chapter Chair; and, reduce the number of nationally elected councillors by at least six to be replaced by the elected Chapter Chairs.

One legacy that I wish to leave IAMA is appropriate, but strong, governance systems. It is my present hope those amendments will be put to the 2011 AGM. I welcome all members to please share with me (email: president@iama.org.au) your views on this proposed amendment so that it might be debated in advance of the AGM.

I will discuss other proposed Council changes in the next newsletter.

**Warren Fischer, FAICD FIAMA
President**

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“On 30 September 2010 the Senate in the new parliament referred the Civil Dispute Resolution Bill 2010 for inquiry and report. The Bill encourages the resolution of civil disputes outside the courts and seeks to improve access to justice by focussing parties and their lawyers on the early resolution of disputes. ”

Since the publication of the first edition of IAMA Pulse in August 2010, the arbitration committee has met on 11 September and 5 October 2010.

Members will be aware that the Standing Committee of Attorneys General resolved to adopt new uniform Commercial Arbitration legislation in each of the States and Territories. The *Commercial Arbitration Act 2010* (NSW) was assented to on 28 June 2010 and commenced on 1 October 2010. IAMA will be encouraging other states and territories to follow the path of NSW and introduce the legislation as soon as is possible.

The Committee is presently reviewing IAMA’s Policy for the Registration of Practising Arbitrators and is proposing amendments that give recognition to the new legislation. The amended policy has been considered by Council and will be formally adopted shortly.

IAMA, along with the Australian International Disputes Centre (AIDC), the Australian Centre for International Commercial Arbitration (ACICA) and the Chartered Institute of Arbitrators, is proposing to support the NSW Attorney-General’s intervention in next year’s High Court appeal of Westport Insurance Corporation and Gordian Runoff Ltd. In this case, Westport is appealing the decision of the New South Wales Court of Appeal which did not follow *Oil Basins Ltd v BHP Billiton Ltd* (2007) 18 VR 346 and found that arbitrators did not have the same legal obligations to provide reasons as judges.

Chief Justice of the Federal Court Patrick Keane recently said that the approach taken in *Oil Basins* was “problematic, both as a matter of principle and practice” and the NSW approach should be preferred because it recognised “the theoretical and practical differences between judgements of a court and arbitral awards”.

On 30 September 2010 the Senate in the new parliament referred the *Civil Dispute Resolution Bill 2010* for inquiry and report. The Bill encourages the resolution of civil disputes outside the courts and seeks to improve access to justice by focussing parties and their lawyers on the early resolution of disputes. It does this by requiring parties to take ‘genuine steps’ to resolve a civil dispute before proceedings are able to be commenced in the Federal Court of Australia or the Federal Magistrates Court. These steps include, but are not limited to, the exchange of appropriate pre-litigation correspondence, information and documents critical to the resolution of the dispute, and the consideration of options for resolving the dispute such as genuine and reasonable negotiations or other forms of alternative dispute resolution.

With a similar objective, the Victorian Parliament recently passed the *Civil Procedure Bill 2010* (Vic) which applies to the Victorian Magistrates’, County and Supreme Courts. Its specific aim is to facilitate the determination of disputes in a more timely and cost effective manner.

If you have ideas about promoting arbitration or if you would like to contribute articles or case notes relevant to arbitration to the IAMA newsletter, please email: feedback@iama.org.au

Glynn Logue
Member, National Arbitration Committee

CURRENT INITIATIVES**ADJUDICATION**

“The decision of the New South Wales Supreme Court of Appeal in Chase Oyster Bar v Hamo Industries [2010] NSWCA 190 has been handed down. Every adjudicator, budding adjudicator, lawyer or consultant having any involvement with adjudication should download the case and read it carefully. A comprehensive case study will be published in the upcoming edition of The Arbitrator and Mediator.”



The National Adjudication Committee has been working on a number of fronts to promote IAMA as a nominating authority. Input from Saul Rozenbes (Victoria) has been particularly helpful in identifying some of the avenues we need to work on.

There have been reviews of the legislation in Queensland, Victoria and New South Wales. IAMA has provided input both as a body and through individual submissions by some of its members.

The National Council's Practice Notes, Rules and By-Laws Committee is working on draft amendments to the IAMA policy for accreditation of adjudicators to provide for grading of adjudicators. Chapter input to the policy and involvement in the implementation of the policy once it is adopted will be sought.

It is obvious that IAMA can do more to promote itself in adjudication. The web presence in particular is targeted for an overhaul and our new CEO Peter Shears is doing valuable preliminary work in this regard. If you have any suggestions please email national@iama.org.au.

Finally, the consensus is that the best way to promote IAMA as the preferred place to lodge an application for adjudication is by word of mouth. Each and every member can promote IAMA when an opportunity arises. It is hoped that you would take that opportunity.

New South Wales

It is expected that New South Wales will move quickly, possibly before Christmas, with a Bill before Parliament for Security of Payment review. This has been the case for the first two versions of the legislation with the time frame for the legislation coming into effect in the following March. There have been some wide ranging suggestions put forward by various groups such as extending the scope to home owners, including industrial relations issues with respect to workers and subcontractor's entitlements, appeal rights, and inclusion of damages claims by either party within the scope of adjudicator's jurisdiction. At a practical level there have been changes suggested such as to provide for the adjudicator's time to decide the matter to run from the time of or for the adjudication response rather than from acceptance of the application.

New South Wales its final holding its Adjudicator's Discussion Evening on 24 November 2010. Contact the Chapter office nsw.chapter@iama.org.au for further information.

Queensland

Queensland appears to be taking a more holistic view of payment issues in the construction industry, particularly in considering whether to widen the scope of adjudication for residential building. We await the outcome of the review.

The recent Adjudicator Training course for *Queensland Building and Construction Industry Payments Act (Qld) 2004* was well attended and feedback from participants as to the benefits and the value of the course has been very positive. The BCIPA Registry has released its annual report. It is brief but very informative, particularly with respect to statistics for adjudication. Visit the BCIPA website (www.bcipa.qld.gov.au) for some worthwhile reading including the current and past reports.

Australian Capital Territory

The *Building and Construction Industry (Security of Payment) Act 2009* (BCISPA) for the Australian Capital Territory came into effect as from 1 July 2010 and IAMA is an authorised Nominating Authority under BCISPA.

For those wishing to become an adjudicator, or those who wish to attain an intimate knowledge of, the *Building and Construction Industry (Security of Payment) Act 2009* (BCISPA) for the Australian Capital Territory, there will be an adjudicator training course on 9, 10 and 11 December 2010 in Canberra. Email John Murray (jmur7464@bigpond.net.au) or Tim Sullivan (tim.sullivan@contraxgroup.com) for further information.

For anyone who wishes to do the adjudicator training in the ACT but does not wish to become an adjudicator, a hefty discount, on top of the early bird discount, is available. Examination and assessment of these people will not be provided but they should take away a good understanding of how adjudicators are trained to carry out their role and how to optimise opportunities under BCISPA.

For the Australian Capital Territory the Institute will also be providing an opportunity for IAMA accredited adjudicators from other jurisdictions to do a bridging course to meet the Institute's academic requirements to become an adjudicator in the ACT. This will involve training in the essentials of BCISPA with a focus on the differences between BCISPA and the legislation in other jurisdictions. This training will be held on 11 December 2010 in Canberra. Participants will be examined on BCISPA on the same day and if accreditation is applied for they will be called on to present other material supporting their application. Email Tim Sullivan (tim.sullivan@contraxgroup.com) if you wish to have any further information on the bridging course.

Victoria

Views on the Victorian legislation have been sought including input to the Supreme Court for submissions regarding the Act. It is hoped that the Victorian legislation may come more into line with other jurisdictions for the benefit of all contracting parties in the construction industry.

Victoria now has its own dedicated Chapter Office and Chapter administrator. This should provide opportunities to promote IAMA's role as a nominating authority in Victoria. Chapter staff cannot do this alone. It requires a concerted effort from all members to promote IAMA. Contact the Victorian Chapter Administrator (vic.chapter@iama.org.au) for information on activities and suggestions for improvements.

Western Australia

IAMA continues to be the preferred nominating authority in Western Australia. IAMA is well equipped in WA with qualified adjudicators. The level of activity has not warranted another adjudicator training course at this stage but those wishing to do the training should register their interest at the Chapter office so that they will be contacted when the next course is to be run.

South Australia

South Australia will be holding a training and information day for their Building and Construction Industry Security of Payment Act on 26 November 2010. Anyone with an interest in adjudication, particularly those interested in becoming an adjudicator, or those assisting/advising parties are encouraged to attend. IAMA can't predict when or even if, the South Australian Legislation will come into force but, if it does, anyone who has attended the 26 November session will be better equipped for future involvement. Contact sa.chapter@iama.org.au for further information.

**Tim Sullivan – Immediate Past President
Chair, Adjudication Committee**

National Mediation Committee 2010

The two major items arising from the deliberations of the National Mediation Committee are:

1. A two day "NMAS Bridging Course for Mediators" has been approved by the Mediation and EPD Committees as well as by the National Council
2. The Committee's role in overseeing and supporting the establishment of pro bono mediation schemes that are being run by several Chapters

The NMAS Bridging Course for Mediators

This course has been designed to assist those people who successfully completed the IAMA "Practitioners Certificate in Mediation" between 2003 and December 2007. When the National Mediator Accreditation System was introduced in January 2008, it included specific requirements for the threshold training and education of mediators. In March 2008, IAMA conducted its first NMAS compliant mediation course and all courses since then have been designed to meet the NMAS training and assessment processes.

The NMAS Bridging Course for Mediators includes the additional content required by NMAS which the old IAMA course did not explicitly include and it enables people to make up the time differential (NMAS specifies that courses must be 40 hours duration, excluding assessment). In addition, the course provides an opportunity for theoretical and practical updates.

The course will be conducted by every Chapter and CPD points will accrue as per the IAMA CPD policy (at the rate of 2 per contact hour). Please contact your local Chapter to register for the course.

Pro Bono Mediation Schemes

The National Mediation Committee has also decided to take an active role in overseeing and supporting the establishment of Chapter pro bono mediation schemes. Such schemes currently operate in South Australia and in NSW, while the ACT has been approached to provide pro bono mediation services and Victoria is looking to establish such a scheme later this year. Tasmania, too, is considering the feasibility of providing such services.

Pro bono mediation schemes are intended to provide mediation services for free and serve two purposes for IAMA: they are particularly useful for new mediators wishing to gain valuable practical experience, and they raise IAMA's own public profile. In recognising the value of such schemes, the need for them to be run well and the importance of member access to them, the National Mediation Committee has decided to become a "clearing house" for the Chapters; those Chapters which are running schemes will provide to the Committee copies of the various guiding documents and processes that they use, thereby making that information available to Chapters that are looking to establish such schemes. Chapter representatives on the Committee will report on progress with their pro bono schemes.

National Mediation Conference

More than 500 delegates attended this biennial event in Adelaide last month. With a wide range of papers and presentations, the conference displayed the intriguing, many-faceted research into and application of mediation in Australia and around the world. Three outstanding international presentations were:

- Key-note speaker Justice Albie Sachs, describing the "process architecture" of the Truth and Reconciliation Commission and presenting the Constitutional Court of South Africa as a form of conflict resolution in building design
- Professor Alain Lempereur, showing how the principles of good systems design can be applied to the practical processes of post-conflict peace-building and state-building in Africa
- Michael Lang, demonstrating through his own professional experience that good mediators need much more than mere theoretical expertise.

On a lighter note, the Honourable Chief Justice Diana Bryant of the Family Court of Australia provided one Conference highlight when she described a Mediator Survival Kit:

"Lots of: dark chocolate, dark humour and red wine"

National Mediation Conference continued ...

The many stimulating presentations from within Australia covered every aspect of mediation including: research, cross-border investment disputes, the many types of workplace mediation, Conflict Coaching, and various reports on specific mediation programs.

The most notable program report was from indigenous mediation programs being run on Mornington Island (Queensland) and the Tiwi Islands (Northern Territory) and a full morning's session was given over to presentations about the achievements of these two programs. The morning culminated in the presentation of a painting of community mediation by indigenous mediator and artist Maureen Abbott Nambitjimba from the Tiwi Islands. Maureen had completed the painting specifically for presentation at the Conference, but in a spur-of-the-moment decision, she gave it as a gift to Justice Albie Sachs.

Two important events that were tied into the Conference were:

- the launch of the Mediator Standards Board (MSB) which will oversee the ongoing operations of the National Mediator Accreditation System
- the announcement by Professor the Honourable Murray Kellam AO that, at the end of this year, he will stand aside from the position of Chair of NADRAC - his commitment and his steady guiding hand will be missed

On a lighter note, the Honourable Chief Justice Diana Bryant of the Family Court of Australia provided one Conference highlight when she described a Mediator Survival Kit:

"Lots of: dark chocolate, dark humour and red wine".

Congratulations must be passed to Jim MacDonald and Chris Jeffries whose Conference Organising Committee oversaw a spectacularly successful event. All the presentations from the Adelaide Conference are being converted to podcasts and will soon be available online.

The next National Mediation Conference is to be held in Sydney in 2012.

**Alysoun Boyle – National Councillor
Chair, National Mediation Committee**

WELCOME NEW MEMBERS

Mr David Afrin (Qld)
Ms Susan Howard (Vic)
Ms Hilary Gallagher (NSW)
Mr Charles Richards (ACT)
Mr Douglas Sheppard-Morris (NSW)
Mr Graham Sharley (SA)
Ms Barbara Bogiatzis (Qld)
Mr Tony Roccisano (Qld)
Mr Leonard Edwards (Qld)
Ms Nelli Noakes (ACT)

WELCOME NEW FELLOWS

Rowena McNally (Qld)
Mr Ian George (NSW)

Survey of members

Recently the Membership Committee sent out a survey to all members seeking input on the services provided. Responses to those surveys are being collated however we are still seeking responses from all members in order to assist us in improving the benefits to our membership.

I ask that each member of IAMA take the few minutes required to complete the survey and return it to our Nominations and Membership Officer, Stefan Jorgensen at: membership@iama.org.au.

Responses to the survey, including qualitative data and suggestions will be collated and reviewed by the Membership Committee and ultimately a report will be tabled before the National Council with details of action items to address.

If we do not have your feedback we cannot act upon it. Once again, please take this opportunity to increase the benefits you receive from your membership with IAMA.

Local Councils

As a directive of the Membership Committee, each Chapter has or is currently undertaking to write to the Mayor in its area promoting IAMA's members and offering its services as a nominating authority. A number of Chapters have also approached their local government association in a similar fashion.

If you have any contact with local authorities or any other potential source of referral for IAMA's members, please do your bit to promote IAMA and its services with them. Alternatively, contact your local chapter or your local membership committee member who can make the necessary arrangements.

Referrals

As noted in the last newsletter and in the survey responses received to date and discussions generally, this committee and the Council and Chapters all know that members would like to receive more referrals from IAMA. This is not possible unless IAMA gets the work to refer. In the fields of arbitration and mediation matters are frequently allocated to practitioners agreed upon by the parties. The Membership Committee is currently promoting itself as a nominating authority to various bodies however members can also assist by ensuring your company lists IAMA as the nominating authority in its contracts.

DRC

For all members, please keep in mind that IAMA boasts a professionally facilitated Dispute Resolution Centre at 52 Philip Street, Sydney. The DRC rooms are available for formal arbitrations and mediations, and are also ideal for meetings, conferences or for use as training rooms. They offer an inexpensive neutral venue available to members and non-members and their organisations. I urge you to make use of these facilities whenever possible.

Once again, the Membership Committee endeavours to continue to promote the services of IAMA and its members, therefore increasing the benefits for its members. However, this is something we can all assist in achieving. It is incumbent on all members to promote IAMA's services wherever possible and return IAMA to the forefront of professional dispute resolution services in Australia.

If there are any specific membership benefits that you seek or are that you are able to assist in putting in place, please let your local Membership Committee members know:

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| NSW | Jane Probert |
| VIC | Louise May Dawson |
| QLD | Neville Garnham |
| WA | David Aitken |
| SA | Colin Fullerton |
| ACT | Rosemary Dupont |
| TAS | John Livermore |

**Brian Naylor – National Councillor
Chair, National Membership Committee**

The Probity stream continues to develop with courses being run in Melbourne and Brisbane in October, and also the first of the CPD workshops run in Brisbane in October.

The Victorian Government Department of Treasury and Finance went to tender in September to establish a State Contracts Panel for Probity Auditors and Advisers, and the IAMA policies and standards were recognised in the tender preparation. The Victorian Government, like others, notes that there is not a common industry standard for these services, neither is there a standard professional qualification. So their tender focussed on the skills and experience of Probity Service Providers, including testing it through a case study in their tender.

The participants in the Melbourne course came from a variety of technical and management backgrounds, including one who is a supplier to government and sought to better understand how tenders should be conducted with accountability, transparency and fairness. Mr Graeme Bulte from Aquaterro said that the IAMA Probity Service Provider course gave him an insight into proper (tender) practice, and education on applicable policy. In particular, Mr Bulte believed that it gave him the knowledge and skills to better plan procurement and how that could benefit his business management. All of the Melbourne course participants commented that the course benefited them in better appreciating how the integrity of procurement processes can be improved by effective probity planning. It was considered that both Probity Advisers and Auditors gained greater knowledge and skills from procurement planning which includes probity risk identification, analysis and management strategies.

Members who become involved in disputes involving contracts or purchasing processes sometimes find that the cause can be in a misunderstanding of the parties of pricing structures. In procurement processes, having the wrong pricing structure can make equitable and fair evaluation of tenders difficult to achieve or to defend when debriefing unsuccessful tenders. The Brisbane CPD workshop topic in October addressed Price Evaluation methodologies, and 18 participants gained greater insight into how a best fit pricing structure can contribute significantly to better tender evaluation and outcomes.

The workshop examined 10 different pricing methodologies, including the effects of 'low balling' by tenders. The three hour workshop was attended by IAMA members and guests in areas of procurement planning, probity services, adjudication, project management, and general management. The active participation of the attendees was evidence that the topic was one which was of both interest and concern to 'get it right'.

IAMA welcomed a new member from Western Australia to the October Brisbane Probity Services Course. Mr Gary Gliddon from the WA Audit firm, Blaxfords, was prepared to suffer the 'red-eye' to get to the Brisbane course. Mr Gliddon commented that he now appreciates the "vast body of knowledge required of probity advisers and auditors", and being a practising probity service provider, highly commended the course.

Members and interested persons should contact the respective IAMA Chapter Office for details and see the IAMA website for the respective course details.

Members should note that the Probity Accreditation Policy and Accreditation Application information and forms are on the IAMA website. Interested Members are encouraged to read the Accreditation Policy and consider an application for accreditation.

Jim Box
Member – National Probity Committee

UPCOMING PROBITY SERVICES COURSES

Sydney – 23rd – 26th November

Contact: nsw@iama.org.au

IAMA 2011 NATIONAL CONFERENCE – SYDNEY

16th – 18th JUNE 2011

IAMA will be hosting a multi-disciplinary national conference in **Sydney** from **16 – 18 June 2011**. The conference will focus on all methods of alternative dispute resolution (“ADR”) including arbitration, mediation, adjudication, expert determination and probity. The Conference offers delegates an opportunity to exchange ideas and information on emerging trends and developments in the law and practice of ADR.

We now invite expressions of interest for the submission of papers to be delivered at the IAMA National Conference.

Presenters will be required to prepare a written paper in support of their presentation or workshop by March 2011. If you wish to lodge an expression of interest to deliver a paper, please email to events@iama.org.au and include:

- The name, contact details and a short CV of the author including post-nominals, position, organisation and other relevant information [100 words or less]; and
- The topic and probable title for the paper/session; and
- An outline of the objectives, issues and content of the paper/session [300 words]; and
- An indication of the stream, i.e. adjudication, arbitration, mediation, expert determination, probity, general business; and
- An indication of the preferred format for the proposed presentation, i.e. seminar, workshop, plenary session, breakout group etc.

IAMA TRUST ACCOUNT

The Institute operates an independent and professional trust account service for both members and non-members at highly competitive rates:

Trust Account Fees

Administration Fees (member)

Trust Fund establishment & operation under \$3,000 (up to ten transactions)
\$150.00 + GST (\$15.00) = \$165.00

Trust Fund establishment & operation over \$3,000 (up to ten transactions)
\$200.00 + GST (\$20.00) = \$220.00

Administration Fees (non-member)

Trust Fund establishment & operation (up to ten transactions)
\$300.00 + GST (\$30.00) = \$330.00

Additional Administration Fees

For every ten transactions after the first ten

\$150.00 + GST (\$15.00) = \$165.00 **(member)**

\$250.00 + GST (\$25.00) = \$275.00 **(non-member)**

Call the National Accounts and Trust Officer to discuss special arrangements for deposits of \$250,000 or more.

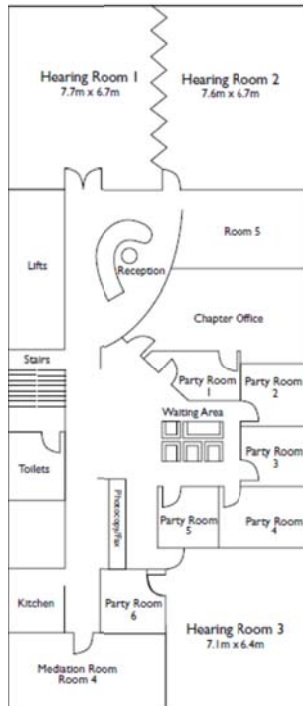
Five simple steps to operating an IAMA trust account

1. Phone the National Accounts and Trust Officer to obtain a **Trust Account Reference Number** – an account will then be opened for you;
2. Ensure the **Trust Account Authority Form** is signed and a copy sent to the National Accounts and Trust Officer by email prior to any deposits being made;
3. When directing or forwarding any deposits into trust, complete the **Pro-forma for Deposits** and forward a copy to the National Accounts and Trust Officer;
4. Disbursements from the trust account will only be made following receipt of an appropriately authorised direction for disbursement;
5. When the account is no longer required, advise the National Accounts and Trust Officer. Once the **Administration Fees** have been paid, a final statement will be issued.

The Trust Account Administrative Guidelines and relevant forms are available on the website: www.iama.org.au/trust or email: trust@iama.org.au for further information

IAMA DRC

IAMA Dispute Resolution Centre comprises purpose designed and equipped rooms for arbitrations, court references, mediations and other meetings



The rooms comprise:

- Three large hearing or conference rooms
- Two rooms may be combined to provide for larger hearings, seminars or conferences
- Six party rooms or small offices
- Mediation Room

Features include:

- Central CBD location, close to off-street parking stations, restaurants and cafes
- Privacy and confidentiality achieved by sound rated walls and doors
- Waiting area
- Facility for receipt and storage of subpoena material
- Office support facilities (telephone, facsimile, photocopying)

Hiring rates:

\$480 per day plus GST, or
\$85 per hour plus GST [minimum of 2 hours]
[audio visual, transcript and catering are also available]

The Institute of Arbitrators & Mediators Australia was formed in 1975 as a professional association whose goals include the advancement of all forms of alternate dispute resolution (ADR).

The Institute is able to nominate Arbitrators, Adjudicators, Experts, Mediators and Referees or suggest panels of accredited professionals qualified to resolve a wide range of disputes.

The Institute trains and provides accreditation for practitioners in Arbitration, Mediation, Expert Determination, Adjudication and for Court References. Training of Arbitrators is achieved through the National Certificate Course in Arbitration conducted jointly by the University of Adelaide and the Institute.

IAMA DRC

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INSTITUTE of
ARBITRATORS & MEDIATORS
AUSTRALIA