

# AIDA Mail



Association Internationale de Droit des Assurances International Association for Insurance Law  
 Associazione Internazionale de Diritto delle Assicurazioni Asociación Internacional de Derecho de Seguros  
 Internationale Vereinigung für Versicherungsrecht

## Introduction

Little did I imagine when I asked Gordon Shaw if he would write an obituary for our old friend Simon Fredericq for publication in the October 1999 issue of this newsletter that I would be called upon to perform the same sad function for him within but a few short months.

In a long life of some 84 years Gordon managed to pack in more than most people. He had a career in the insurance industry, both as a company man and a broker, and he was also a member of the Bar. He was the author of two books, *Insurance Broking and Agency*, written with Hugh Cockerell, and *The Lloyd's Broker* – both became standard works on insurance intermediaries. His long and abiding interest in the law is well illustrated by the fact that he took a doctorate in the subject in his 80th year!

However, I propose to concentrate here largely on Gordon's activities connected with AIDA. He was co-founder, together with the late Hugh Cockerell, of the British Insurance Law Association (BILA), the English Chapter of AIDA. Gordon was always an enthusiastic supporter of the international body and was

elected to the Presidential Council of AIDA at the II World Congress held in Hamburg in 1966, at which congress he was also the reporter on the third theme "Group Insurance, especially in life insurance". He was elected a Vice-Chairman of AIDA in 1986 at the VI World Congress held in London. As the Chairman of BILA at the time when it was decided to make the bid to host the VI Congress, I am in a position to say that if it had not been for Gordon's enthusiasm, determination and hard work it is doubtful whether the congress would have taken place or, at least, whether it would have been held in London. In Copenhagen in 1990 Gordon's devotion over the years to the cause of AIDA was further recognised when he was made an Honorary President of the Association.

The abiding impression one had of Gordon Shaw was one of ebullient enthusiasm, drive and determination tempered by great goodwill and humour. I am sure I speak for all his friends on the Presidential Council when I say it was a privilege to have known him.

John Butler  
 Honorary President, AIDA

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## **Australian Insurance Law Association**

### **Millennium conference**

The Australian Insurance Law Association's Millennium Conference, held in Sydney on 6 and 7 April 2000, provided a programme relevant to lawyers, insurers, brokers and service providers.

The speakers' topics included class actions, e-commerce in the insurance industry, medical and forensic issues and the use of court-appointed experts. Delegates participated in a hypothetical case study conducted by Professor Martin Davies of the University of Melbourne.

The conference dinner on 6 April was the highlight of the social programme and many delegates remained in the Olympic city over the weekend to see the sights.

### **AILA website**

AILA has launched a website ([www.aila.com.au](http://www.aila.com.au)) to promote state functions and increase membership.

The site features on-line membership, a calendar of events, and links to related sites, including AIDA, the Australian Insurance Institute, the Association of Risk and Insurance Managers of Australasia, the National Insurance Brokers' Association and legal reference sites.

One of the site's objectives is to improve communication and organisation within AILA. By making all states aware of what the others are doing, it is hoped to create a more unified organisation. The site will also be used to promote AILA overseas and to promote the national conference.

It is hoped to increase AILA's current membership of 1,600 to more than 2,000 through a membership drive on the website.

The website will be continually upgraded and it is anticipated that it will be a prime marketing tool for AIDA.

## **Austrian Section of AIDA**

The Austrian section of AIDA will be holding a conference entitled "Insurance and E-commerce" on 23 and 24 November 2000 at the Karl Franzens University in Graz, Austria. The speakers will be: Mr Zourek, Deputy Director of GD Internal Market of the

European Commission; Mr Braumuller, head of the Austrian Insurance Supervisory Authority; Mr Klien, Chief Executive Officer of Axa Colonia, Austria; and, from the academic field, Messrs Zib, Forgo and Vonkilch of the University of Vienna, Mrs Lurger of the University of Graz and Mr Strack of the German Insurance Association, Berlin.

The language of the conference is German. There is no fee for delegates.

For further information please contact Mrs Katharina Trampisch (e-mail: [trampisch@vvo.at](mailto:trampisch@vvo.at); telephone +43 (0)1 71156281).

## **New Brazilian Rules Governing Foreign Reinsurance Contracts**

A new Brazilian law, Law No. 9932, which came into force on 20 December 1999, transfers to the Supervisory Office for Private Insurance (SUSEP) all functions in connection with the inspection and regulation of the reinsurance market in Brazil.

Article 2 of Law No. 9932 provides that all foreign contracts of reinsurance and retrocession covering risks for which cover cannot be found in Brazil must be expressly authorised by SUSEP, and no longer by the Brazilian Reinsurance Institute (IRB).

The National Monetary Council (CMN) is to lay down rules governing investment of technical provisions, the funds of domestic reinsurers and the resources required to guarantee obligations assumed in Brazil.

Insurance, reinsurance and retrocession can be effected in Brazil in foreign currency, subject to the rules to be laid down by the CMN and the National Council of Private Insurers (CNSP). The CNSP will also lay down rules for the registration and operation of reinsurers and brokers.

The Brazilian reinsurance market will be obliged to retain 60 per cent of every premium issued and may reinsure the other 40 per cent on the overseas market. This rule will take effect only after the transfer of control of the IRB following its sale, and it will remain in force for a term of two years.

Domestic insurance companies will only be allowed to obtain reinsurance abroad when local reinsurers refuse to accept the reinsurance on the terms and at the price offered by foreign reinsurers.

Article 8 of Law No. 9932 provides that

“decisions taken by insurance establishments concerning the adjustment of claims and payment of indemnities will bind their reinsurers, and the retrocessionaires of these latter, except for a contractual provision otherwise”. It is therefore essential that care is taken over the wording of the provisions of the reinsurance contract governing adjustment and settlement of the claim. Article 8 also provides that “reinsurance establishments and their retrocessionaires will not answer directly to the insured for the sum assumed in reinsurance”.

Penalties for non-compliance with the rules range from the imposition of a fine (whose amount is to be determined by the CNSP) to temporary suspension of the activity, or even cancellation of registration or of authorisation to operate.

*Sergio Ruy Barroso De Mello*  
*Vice-President, Brazilian Chapter of AIDA*

## **British Insurance Law Association**

### **BILA website**

BILA, the UK Chapter of AIDA, has set up a website. The address is [www.bila.org.uk](http://www.bila.org.uk). BILA invites all AIDA Chapters to visit its website. BILA would also be delighted to create hotlinks into the various websites of other chapters. For further information please e-mail BILA at [bila@cii.co.uk](mailto:bila@cii.co.uk).

### **Forthcoming events**

The dates of forthcoming events to be held by the British Insurance Law Association (BILA) are listed below. Further information about any of these events may be obtained from the Secretary, British Insurance Law Association, Chartered Insurance Institute, 20 Aldermanbury, London EC2V 7HY (telephone 020 7417 4780).

**26 May 2000** Annual claims conference

**23 June 2000** Chairman's lunch

**19 July 2000** Mock trial, organised in conjunction with the Torts and Insurance Practice Section of the American Bar Association at the Royal Courts of Justice

**27 September 2000** Annual Conference

and AGM. The conference has been organised to coincide with the Chartered Insurance Institute Conference, to which BILA will be contributing.

## **Sixth AIDA Budapest Insurance Colloquium**

The Sixth AIDA Budapest Insurance Colloquium will be held from 23 to 25 November 2000 and its theme is professional liability insurance. Time has been set aside on the first day for an official Presidential Council meeting and for meetings of the AIDA Working Parties. The colloquium papers will be published in full. A formal invitation, provisional programme and registration form will be sent to all national sections. Members of the Presidential Council and honorary officers of AIDA are exempt from the registration fee. For further information please contact Dr Karoly Bard, c/o Eorsi & Partners, H-1056 Budapest, Belgrad rkp 13-15 (fax +361 266 1444; tel +361 266 5570; e-mail: [bard@eorsi.hu](mailto:bard@eorsi.hu)).

*Dr Karoly Bard*  
*Honorary President, AIDA*

## **Third Party Liability Insurance in Hungary**

Third party liability insurance in Hungary is to be liberalised by allowing insurance companies to set their own premiums.

As a first step, from January 2000, companies will be allowed to vary the insurance premiums which are currently fixed by the Ministry of Finance by up to 15 per cent. Any company wishing to take advantage of this relaxation must submit its proposed premiums to the State Insurance Supervisory Office, and if its application is approved, it cannot then change the level of premiums during the course of the year.

This relaxation is a transitional step towards full liberalisation in 2001, when all companies will set their own premiums. This measure is expected to increase competition and lead to a reduction in insurance premiums.

*Petra Bard*



## State Supervision of Insurance in Hungary

The Hungarian Parliament has passed an Act (Act CXXIV of 1999) to streamline state supervision of insurance in Hungary. With effect from 1 April 2000 the State Insurance Supervisory Office, the Supervisory Office for Voluntary Mutual Insurance Funds and the State Financial Market Supervisory Commission will be integrated into a single supervisory body.

The Hungarian Parliament is also to discuss the modification of Act XCVI of 1995 on Insurance Institutes and Insurance Activities, with a view to harmonisation with European Union Directives.

*Petra Bard*

## Israeli Section of AIDA

On 14 December 1999 Mr P. G. Naschitz, President of the Israeli Section of AIDA, gave a lecture on Y2K legal insurance problems to the underwriters, claims staff, brokers and directors of the Israel Phoenix Assurance Company. Mr Naschitz also spoke on the legal aspects of customs brokers' liability insurance at a meeting of directors of customs agents held on the same date.

On 16 December 1999 the Israel College of Insurance held a colloquium on the Green Card (international third party motor liability insurance). Mr Naschitz was the chairman and moderator of the colloquium, which was attended by members of AIDA, lawyers, insurance executives and students.

The proposed reform of the compulsory third party insurance legislation was the subject of an AIDA seminar held in Tel Aviv on 13 January 2000. The speakers included Judge Dr Adi Azar, Ofira Eliav (Deputy Superintendent of Insurance), Carmi Gilon (General Manager of Avner-Compulsory Third Party Insurance Pool) and Avigdor Kaplan (General Manager of Clal Insurance Company).

*P. G. Naschitz*  
*President, Israeli Section of AIDA*

## News from the Presidential Council

The Presidential Council met in New York on 3

November 1999 in conjunction with an arbitration conference organised by ARIAS (US). The Reinsurance Working Party and the Working Party on Accumulation of Claims and Subrogation also met in New York. The respective chairmen of those working parties will be reporting to their members and their reports will also appear in *AIDA Mail*. [The minutes of the Reinsurance Working Party meeting are reproduced below.]

At the opening of the meeting, Mikael Rosenmejer spoke in tribute to the late Professor Simon Fredericq, President of AIDA between 1978 and 1986 and Honorary President thereafter until his death last year. The members of the Presidential Council honoured Professor Fredericq's memory by a minute's silence.

The principal item discussed by the Presidential Council was the organisation of the XIth World Congress, which will take place in New York in 2002. Preliminary discussions have been held concerning venues, but no final decisions have been made because of competing pressure at this time from organisations arranging "Millennium" events. The final draft of the detailed programme is in preparation. The Congress will open on a Sunday evening, so as to allow participants to take advantage of lower weekend airfares. Two half days have been reserved for meetings of the working parties, in addition to the time allowed for plenary discussion of the principal themes.

The US Chapter's questionnaire on "Integration of Financial Services" was in the drafting stage and its completion was anticipated by January 2000, with a deadline of the end of the year for responses from national sections. With regard to the Presidential Council's theme, "Comparative Study of Liability and Compensation Systems", Professors Hubert Bocken and Bill Dufwa were officially appointed as the General Reporters. The questionnaire for this theme was finalised in time for distribution to national sections early in 2000. The questionnaires will, in due course, be printed in *IJIL* and *AIDA Mail*.

The President emphasised the importance of AIDA's permanent working parties to the achievements of the Association. It appears that not all working parties are sufficiently active. Efforts should be made to revive those working parties which have not held meetings or produced reports during the past year. Reports were tabled by the chairmen of the working parties on Reinsurance, Pensions, Motor

Insurance, Intermediaries, Accumulation and Subrogation, Loss Prevention and Liability for Products, Pollution and New Technologies. The Loss Prevention Working Party would like to hear from anyone with experience of problems caused by technology – especially the so-called “Y2K or Millennium Bug”. If any member of a national section would like to respond on this issue, they should contact Prof. Justino Duque or Mr Joaquin Alarcon Fidalgo of the Spanish Section.

Dr Capotosti reported on the lack of interest which had been shown by other national sections in setting up a working party on relations between AIDA and other international organisations interested in insurance matters. It was suggested, therefore, that instead of a working party, an informal study group should be set up under the auspices of the Italian section to consider initially, in particular, how the themes of the next World Congress might be of interest to other international organisations. If members of national sections would like to contribute to the work of this study group, they should get in touch with Dr Capotosti of the Italian Chapter.

The Presidential Council agreed to the transfer of responsibility for AIDA’s website from the University of Louvain to the AIDA General Secretariat. For this purpose, the domain name *aida.org.uk* has been reserved. It will, however, take some time for the actual migration and updating to be effected. News of further developments will be sent to national sections in due course.

A new edition of the AIDA brochure has been published (to replace the original brochure published in 1992). Copies will be sent to all national sections to be used in promoting awareness of AIDA.

Finally, the Presidential Council noted that 2000 marked the 40th year since the founding of AIDA. It was agreed to look into the possibility of arranging ceremonies to mark this anniversary both at the CILA Congress in Cartagena in May and at the Budapest Colloquium in November.

*Michael Mendelowitz*  
*Assistant Secretary General (Administration)*

## Reinsurance Working Party Meeting

A meeting of the AIDA Reinsurance Working Party was held on 3 November 1999 at the New York Athletic Club.

The following members of the Working Party were present: Colin Croly (Chairman), Sergio Ruy Barroso de Mello, Christian Bouckaert, Juan Pablo Chevallier-Boutell, Michelle George, Alastair Gunn, John Hastings, Ulrich Huebner, Tony Kay, Jerome Kullmann, Domingo Lopez Saavedra, Andrew Maneval, Jose Luis Marco, Michael Mendelowitz, Robert Merkin, John Nona, Katherine Posner, Mikael Rosenmejer, Martin Sandgren, Daniel E. Schmidt IV and Peggy Sharon.

Apologies were received from Javier Carvallo, Jose Luis Contreras, Jorge Gameiro, Michael Gill, Tim Griffiths, Dick Kennedy, Patrick Le Corff, Bob Mangino, Lars Molgaard, Herbert Palmberger, Antti Salenius, Alexander Schneeberger and Vince Vitkowsky.

### 1 Questionnaire No. 2: Follow the Settlements

The Chairman confirmed that the Report had been prepared, and copy had been submitted to LLP for publication.

### 2 Questionnaire No. 3: Proper Law

Again, the Chairman confirmed that the Report had been prepared, and copy had been submitted to LLP for publication.

### 3 Questionnaires Nos 4, 5 and 6

#### (a) Questionnaire No. 4

The Chairman reported that there had been very few responses to Questionnaire No. 4: six had been received so far, with two more promised. He also reported that Michael Mendelowitz had volunteered to draft the report based on responses to Questionnaire No. 4. In advance of doing so Michael Mendelowitz would prepare model answers based on English law and on responses received to date: this would be sent out in December 1999 with the hope of providing guidance to those yet to respond.

#### (b) Questionnaire No. 5

The Chairman reported that only four responses had been received to Questionnaire No. 5, with one more promised. The final cut-off date for responses was the end of February 2000. Dick Kennedy had originally volunteered to produce this report, but it was not clear if he could still do so following his move to Skandia Life. If Dick Kennedy felt he was unable to produce the report, Kathy Posner agreed to step in.



### (c) Questionnaire No. 6

The Chairman reported that this had yet to be circulated, but had been discussed in draft at the Working Party's last meeting and had since been finalised. Two responses had been received on the draft. The Working Party agreed that Questionnaire No. 6 should be sent out immediately, with a cut-off date for responses by the end of June 2000. Michael Gill had offered to be reporter.

### (d) General

The Chairman noted that about 20 responses had been received to Questionnaire No. 1, and at least 12 were needed for a report to be viable. He indicated that he would send a letter to all Working Party members, requesting a real effort to provide a response, also commenting that, in the absence of any relevant law on the subject, a negative return would be welcome and valuable. Working Party members from the same jurisdiction were encouraged to share work. The Chairman stated his hope that the reports on Questionnaires Nos 4, 5 and 6 could be produced by the middle of 2000 so as to be ready for the Budapest conference in November 2000 marking the 40th Anniversary of AIDA.

Kathy Posner raised the question of the diversity of the law as between US jurisdictions. Kathy and Colin Croly agreed to discuss methods of incorporating Illinois and California law as well as New York law. It was noted that the law of other jurisdictions in the US needed to be considered in appropriate situations.

### 4 Questionnaire No. 7 – Reinsurance Intermediaries

The Chairman noted that this was a timely topic, as AIDA had recently established an Intermediaries Working Party. A draft of the questionnaire was tabled by Robert Merkin and it was agreed to send out copies of the draft to all Chapters. Any comments on the draft were to be sent to Colin Croly by the end of 1999, and the final version would then be prepared. Robert Merkin agreed to liaise with the Chairman of the Intermediaries Working Party in the preparation of the report.

### 5 Updating of reports

The Chairman raised the problem of keeping reports up to date; this was particularly important as regards *What is Reinsurance?*, which is now some two years old. Robert Merkin agreed to speak to LLP about updating, and will report

back to the next meeting of the Working Party.

### 6 AIDA Mail

The Chairman reported that the Presidential Council at its last meeting agreed to extract AIDA material from the *International Journal of Insurance Law* to be published as a separate bulletin, replacing the now defunct *AIDA Bulletin*. *AIDA Mail* is now published quarterly by LLP. He stressed the importance of the Reinsurance Working Party being a leading contributor to *AIDA Mail*: at present the Working Party's minutes were included, and members were urged to provide copy for *AIDA Mail* covering matters such as reinsurance conferences.

### 7 New arbitration procedures in US

Andrew Maneval and Dan Schmidt made a presentation on this topic.

### 8 Reinsurance pools

Robert Merkin made a presentation on this topic.

### 9 Next meeting

The Chairman reported that AIDA will be meeting in November 2000 in Budapest, to celebrate the 40th Anniversary of AIDA; the Reinsurance Working Party will meet then. The Working Party would also attempt to meet before then, hopefully in the second quarter of 2000. The venue would depend upon the decision of the Presidential Council as to the venue of its next meeting.

Topics for the next meeting would be left open until the venue of the next meeting had been fixed. A local topic would be worked into the agenda.

### 10 Any other business

The Chairman expressed his thanks to those attending the meeting, and asked members to send their e-mail addresses to him, for circulation within the Working Party.

Colin Croly  
Chairman, AIDA Reinsurance Working Party

## AIDA Reinsurance Working Party Reports

At its inaugural meeting in 1994, the Reinsurance Working Party undertook to

produce a compendium of comparative reinsurance law, to be researched through questionnaires on particular aspects of the law sent to all the national sections, and to be published as a series of reports.

The first report, *What is Reinsurance?*, was published in 1998, and the second and third reports, *Follow the Settlements* and *The Proper Law of Reinsurance Contracts*, followed in February 2000. The reports are published by LLP Professional Publishing and may be purchased separately, or as a set at a substantial discount. Future reports currently in preparation cover such issues as the meaning of "event", custom and practice and cut-through.

## **ARIAS-US Umpire Appointment Procedures**

ARIAS-US was formed to promote the integrity of the arbitration process as a means of resolving national and international insurance and reinsurance disputes. It is affiliated to AIDA and, through AIDA, to similar arbitration societies in the UK (ARIAS) and France (CEFAREA). Two of the principal methods by which ARIAS-US seeks to achieve its objectives are by providing training sessions for serving and potential arbitrators and by setting criteria for the certification of appropriately qualified and experienced arbitrators and umpires.

The current ARIAS-US umpire appointment procedures (revised 4 November 1999) are set out below.

### **A. General**

The ARIAS Umpire Appointment Procedures ("Procedures") are available for use in insurance or reinsurance arbitrations. Under the Procedures, umpires will be selected from the ARIAS Umpire List, unless the parties specifically request selection from the ARIAS Certified Arbitrator List. The ARIAS Umpire List consists of those ARIAS Certified Arbitrators who have provided ARIAS with satisfactory evidence of having served as a panel member on three completed (i.e. a final award was issued) insurance or reinsurance arbitrations. These Procedures will be administered by the parties.

### **B. Random selection from the ARIAS appointment database**

(1) To initiate these Procedures the parties must

jointly notify ARIAS (via its Managing Director) that they have elected to have their umpire appointed in accordance with these Procedures. Upon receipt of this information, the ARIAS Managing Director's office will make a random selection of 12 names from the ARIAS Umpire (or Certified Arbitrator) List.

- (2) The ARIAS Managing Director will forward the list of 12 names to the parties, and the parties will jointly contact each candidate to determine the candidate's availability, identifying the parties, their counsel and appointed arbitrators. The parties should notify the umpire candidates of any specific terms set forth in their arbitration agreement which might affect a candidate's eligibility to serve in the matter (i.e. active or retired, years or type of experience, etc.). The parties will also furnish each candidate with an Umpire Questionnaire (ARIAS form, unless otherwise agreed) to be promptly completed and returned if the candidate wishes to be considered for appointment. Any candidate who does not return a completed Questionnaire to both parties within 10 days of receipt of the form will be considered unavailable for appointment. The parties should encourage the candidates to submit their Questionnaire via simultaneous fax transmission to ensure receipt by both parties within the 10-day period.
- (3) In the event less than 10 candidates are available for appointment, the parties may request, from the ARIAS Managing Director's office, an additional random selection from the Database specifying in that request the number of additional names required. For example, if only eight of the original 12 candidates are available, the parties will request two additional names.

### **C. Candidate ranking and umpire selection**

- (1) Within seven days after receipt of questionnaires from all available candidates, the parties shall each select five names from the list of available candidates and notify the other party of their selections. The parties should agree on the date, time and method for this simultaneous exchange.
- (2) Within seven days of the receipt of these selections, the parties shall each choose three



names from the other party's list and exchange these names with the other party. The parties should agree on the date, time and method for this simultaneous exchange. If a single individual is present on each party's list of three names, that individual will be deemed selected as umpire. If more than one individual is present on each list, the parties shall select their umpire from among those individuals by drawing lots or by other method acceptable to both parties.

(3) If there is no name present on both lists, the parties shall, within three days after receipt of the lists, rank each of the six candidates in order of preference from "1" through "6", with "1" being the most preferred. The candidate with the lowest combined numerical ranking shall serve as umpire. In the event two or more candidates are tied, the parties shall choose from among those candidates by drawing lots or by other method acceptable to both parties.

#### D. Notices

All notices and responses required under these Procedures should be given in a manner producing a proof of receipt (via fax, certified mail, or courier). Time periods shall be calculated to run from the first day after a notice or response is received. If a time period expires on a Saturday, Sunday, or legal holiday (i.e. a non-business day), the time period shall be deemed extended to the end of the first following business day.

Notices to the ARIAS Managing Director should be addressed as follows: Stephen H. Acunto, Managing Director, ARIAS-US, P.O. Box 9001, Mt. Vernon, N.Y. 10552. Fax: 914-699-2025.

#### E. Fees

The fee for utilising this Procedure will be the responsibility of the parties to the arbitration and must accompany the initial notification required in paragraph B(1) above. Where either party, its counsel, or its party-appointed arbitrator is a member of ARIAS-US, there shall be no fee for utilising this Procedure. Where neither party, their counsel, nor their party-appointed arbitrators are members of ARIAS-US, the fee to those parties is \$100.00 each. A cheque for \$200.00, payable to "ARIAS-US", must accompany the notice to the ARIAS Managing

Director. ARIAS reserves the right to adjust the fee for this Procedure to reflect its costs.

#### F. Indemnification

(1) The parties' request for a random list and/or utilisation of these Procedures shall constitute the agreement of each party to the arbitration not to assert any claim, file any suit, or initiate any action against ARIAS-US, or its officers and directors, in connection with these Procedures.

(2) The parties' request for a random list and/or utilisation of these Procedures shall also constitute the agreement of each party to the arbitration to jointly and severally protect, defend, indemnify and hold harmless ARIAS-US, its officers and directors, against any and all expenses, costs and fees of any kind in connection with any claim, action or lawsuit involving these Procedures.

#### G. Modifications

ARIAS reserves the right to modify or terminate these Procedures at any time.

### CEFAREA

CEFAREA (Centre Francais d'Arbitrage de Reassurance et d'Assurance), the French arbitration society affiliated to AIDA, publishes an annual journal containing articles of international interest on issues relevant to the arbitration of insurance and reinsurance disputes.

The fourth issue (1999) contains articles on the exequatur procedure (used where one party refuses to comply with an arbitration award) by Professor Georges Durry of the University of Pantheon-Assas (Paris II); on arbitration clauses imported by reference into the main contract by Professor Eric Loquin of the Faculty of Law in Dijon; on the new English civil procedure rules by Colin Croly of Barlow Lyde & Gilbert; and on the reinsurer's liability to contribute to the insurer's costs of adjusting and settling claims by Jacques Bourthoumieux, Honorary President of SAFR.

Further information on CEFAREA can be found at the website address [www.arbitrage-fr.org](http://www.arbitrage-fr.org).