

THE 1984 AGM

Minutes of the Annual General Meeting held on the 22nd Floor of the Commercial Union Head Office, St. Helen's, 1 Undershaft, London EC3 on Wednesday, 5th September 1984.

The Chair was taken by Mr. P.V. Saxton.

APOLOGIES

Apologies for absence were reported from The Chairman, Alan Dolden, who was in hospital, The Rt. Hon. Sir John Donaldson, Sir Denis Marshall, M.A. Cohen, C.V. Croly, E. Gumbel, R. Hanson James, A.L. McCrindell.

The Chairman on behalf of the Meeting asked that best wishes be sent to Alan Dolden.

MINUTES

The following Minutes of the Annual General Meeting held on Wednesday, 7th September 1983 were approved. There were no matters arising.

ELECTION OF OFFICERS AND COMMITTEE

The following nominations were put to the Meeting:-

<u>President:</u>	Sir Denis Marshall
<u>Deputy President:</u>	Mr. S.M.F. Harris
<u>Vice-President:</u>	Professor H.A.L. Cockerell
	Mr. M.A. Cohen
	Mr. G.W. Shaw

The President, Deputy President and Vice-Presidents are nominated by the Committee (Rule 8 (2) (a)). All other

Officers and Committee Members may be nominated by any two Members of the Association in writing (Rule 8 (2) (b)).

Nominations were received for the following:-

<u>Chairman:</u>	Mr. A.J. Dolden
<u>Vice-Chairman:</u>	Mr. J. Frangoulis
<u>Immediate Past Chairman:</u>	Mr. P.V. Saxton
<u>Honorary Secretary:</u>	Mr. K.M. Davidson
<u>Honorary Scientific Secretary</u>	Mr. G. Cornish
<u>Honorary Treasurer:</u>	Mr. R.B. Lincoln
<u>Committee:</u>	Mr. J.S. Butler
	Mr. D.G. Cole
	Mr. C.V. Croly
	Mr. A.H. Kay
	Mr. A. Pincott
	Mr. D.G. Sasserath

There being no vacancies not filled by nominations received, the listed nominations of Officers and the Committee were declared elected.

AUDITORS

The recommendation of the Committee that Messrs. Charles Rippin and Turner should be re-elected was approved.

HONORARY SECRETARY'S REPORT

The Honorary Secretary's report had been circulated with the Notice of the Annual General Meeting, and follows these minutes.

HONORARY TREASURER'S REPORT

The Honorary Treasurer's report, together with balance sheets and receipts and expenditure account were circulated to all

Members present at the Meeting. The Treasurer confirmed the sound financial state of the Association, and although there had been a slight decrease in membership, 1984 was showing an increase. The report is reproduced in full after the Hon. Secretary's report.

SUBSCRIPTIONS

The Meeting agreed the Committee's recommendation that annual subscriptions should remain at £7.50 for individuals and £25 for Corporate Members.

RETIRING PRESIDENT

The Chairman paid tribute to Mr. R.I. Sloan for the time and effort he had put into BILA and his tremendous support and promotion of the Organisation. It was unanimously agreed that Mr. Sloan should be made an honorary member of the Association.

CHARITABLE TRUST

The Chairman outlined the background to this item. The 1982 AIDA Congress was partly underwritten by the BIA and the Insurance Market, and as there had been a surplus from the event, they had been approached and asked what BILA should do with this surplus. The Market confirmed that they did not wish the money to be refunded as long as good use was made of it, especially if it involved education. A BILA Sub-Committee was formed and recommended a Charitable Trust be set up for educational purposes, and that the £6,150 surplus from AIDA, plus a further sum of £3,850 from the Association's general fund, be used to establish the Trust.

There was discussion about the wording of the Resolution and it was agreed that the Resolution should be amended and read as follows:-

Resolution:

That the Committee be empowered to set up a Charitable Trust to be called the British Insurance Law Association Charitable Trust, and to appoint Trustees, and to transfer funds, not exceeding £10,000, or such future sum as approved by the Committee from the Association to the Trustees for the purpose of the Trust. The objects of the Trust to be defined by the Committee of the Association.

The Resolution was passed.

ANY OTHER BUSINESS

Mr. F. Weil proposed a vote of thanks to the Officers and the Committee of the Association.

The Chairman proposed a vote of thanks to the Commercial Union, both for their hospitality on the occasion of the Annual General Meeting and also for their hospitality and support throughout the last year.

HONORARY SECRETARY'S REPORT 1983/84

Richard Sayer, Solicitor, launched us for our series of lunchtime meetings with his fascinating talk on 'Maritime Scuttling'. The excellent attendance was repeated when Tim Scorer, also a Solicitor, spoke on 'International and Domestic Air Law and Claims', followed by Graydon Staring, an American Attorney, talking about 'Greater Expectations'. We finished our series of lunchtime meetings with our ex-Chairman, Dr. Edward Gumbel, giving his 'Broker's Thoughts'. As usual, the lunchtime meetings have been held in the Council Room of the Institute of London Underwriters, Lime Street, London EC3, to whom we are much obliged, and we hope that during 1984/85 we will have as good attendances as we have seen in 1983/84.

Our lunches this year were addressed by Professor Roy Goode of The Centre for Commercial Law Studies, Queen Mary College, London and Francis Perkins, former Chairman of the Insurance Brokers Registration Council, and again, we were delighted by the level of attendance.

The work of the AIDA Directors and Officers Liability Working Party culminated in July with the presentation of the first part of its report at a BILA Colloquium. The Colloquium, which was held from 11th to 13th July at University College, London, had Legal Expenses Insurances and Directors and Officers Liability as its main themes and was attended by 100 delegates, of whom over 50 came from overseas. Of the 12 Colloquium Speakers, 6 were from overseas. The level of delegate participation at the Colloquium was excellent and congratulations must go to the organising committee for its splendid efforts. Our thanks must also go to The British Insurance Association, Willis Faber and The Department of Trade and Industry for their support of the Colloquium and of BILA.

The VIIth AIDA World Congress will be held in Budapest from 5th - 9th May, 1986, and BILA has set up two Working Parties to prepare national reports on the Congress themes, which are "Insurance confronted by the changing notion of liability" and "Risk aggravation and other modifications of the risk situation".

We have welcomed many new Members over the last year and still look to our existing Membership to help promote BILA and introduce new prospective Members.

(K.M. Davidson)

HONORARY TREASURER'S REPORT

Accounts Year Ended 28th February 1984

This is my first annual report as Honorary Treasurer and I am pleased to have taken over the accounts of a very sound Association. I am indebted to my predecessor, Dr. Michael Müller-Stüler, both for his endeavours on behalf of BILA and also for the excellent manner in which he kept the books of the Association.

The Association's resources stand at £14,673.00 at the end of this financial year 1983/84, laying a sound foundation for its future.

The income of the Association grew from £3,947.00 to £4,779.00, i.e. an increase of £1,282.00. The manner in which this occurred is clearly shown on the Receipts and Expenditure Account, but I would particularly like to draw your attention to the surplus we have achieved from lunchtime meetings, of £106.00 and the extraneous income of £303.00. I am pleased to report that advertising material enclosed with the Bulletin accounts for £210.00 of this, and the remaining items are £48.00 for the sale of AIDA ties, together with £45.00 for the sale of copies of the Bulletin.

The expenditure has increased from £1,566.00 to £2,585.00, an increase of £1,019.00. The sum of £555.00 relates to meeting expenses promoting the aims of the Association. The Association is obliged to pay Corporation Tax on interest received and, accordingly, the item of £375.00 in these accounts is the expected liability on £1,223.00. All the other costs have moved within the usual parameters.

Last year, Dr. Müller-Stüler reported to you that the AIDA Congress Accounts for 1982 were not yet available. I am

pleased to report that these have now been received and a comment thereon is made in the Auditor's report. You will probably note that the surplus on this function was £6,150.00, which has helped to swell the accumulated fund to £14,673.00.

(R.B. Lincoln)

A REPORT FROM SCOTLAND ON
DAMAGES IN PERSONAL INJURIES CASES

By Ivor Guild, Solicitor, Edinburgh

In so many matters now Britain is apt to follow the United States at a distance of 5 years or so, and large awards of damages for personal injuries is merely one area in which this delayed imitation takes place. In Scotland, awards are still fixed by a Civil Jury in simple tort and libel cases, although the Court is quick to remove from a Jury cases of any complexity in law or fact and to set them down for hearing before a judge. The ordinary man's intuitive appraisal is seldom hampered by law and is more frequently influenced by what he has read in the newspaper about sizeable awards and so the tendency is to increasing the amount of awards; this will no doubt continue as long as a jury is in command of the bung hole on the honey barrel.

A recent study of the American scene suggests that the type of action in which large awards are made are those for personal injury, particularly when the jury knows that an Insurance Company is picking up the tab, and product liability where it is appreciated that a large public company will be footing the bill. By 1982, verdicts of over \$1,000,000 were being given at the rate of more than four a week in personal injury cases; these were made up of car crashes, medical malpractice, product liability and aeroplane accidents.