



# Newsletter of the ILS

The International Law Section of the Law Council of Australia Limited

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## **Executive of the ILS:**

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## **Welcome to the seventh ILS Newsletter.**

Welcome to the first newsletter of 2006. This newsletter will give a detailed overview about the recent free trade agreement negotiations between Australia and several other countries. I would like to acknowledge at this point that I have collected some of the data from the Department of Foreign Affairs and Trade and the Australian Services Roundtable.

In relation to the Australia - US Free Trade Agreement, the International Law Section has convened a meeting to discuss current legal services issues with representatives from constituent bodies. You can find more information about this meeting in the INSIDE THE ILS section of this newsletter.

The newsletter will also report on the International Trade Law Symposium and on other interesting matters within the ILS.

Enjoy reading this newsletter.

**Hendryk Flaegel, Administrator of the ILS**

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## **Free Trade Agreements**

Australia has currently signed four Free Trade Agreements. They are:

- Australia - US Free Trade Agreement
- Australia - Singapore Free Trade Agreement
- Australia - Thailand Free Trade Agreement
- Australia - New Zealand Closer Economic Relations

The following Free Trade Agreements are under negotiation or consideration:

- Australia - ASEAN - New Zealand Free Trade Agreement negotiations
- Australia - China Free Trade Agreement negotiations
- Australia - Malaysia Free Trade Agreement negotiations
- Australia - United Arab Emirates Free Trade Agreement negotiations
- Australia - Japan Free Trade Agreement Feasibility Study

## *Happenings*

### *Australia – US Free Trade Agreement*

The second Australia – US Free Trade Agreement (AUSFTA) Working Group on Professional Services meeting was held in Washington DC on 3 March 2006 and co-chaired by the Department of Foreign Affairs and Trade (DFAT) and the Office of the United States Trade Representative (USTR).

The outcomes were as follows:

- The US federal government, through USTR, reaffirmed its support for Australia's initiatives to progress mutual recognition for its lawyers, engineers and accountants;
- On legal services, the meeting noted the positive and productive relationship that already exists between US and Australian national legal organisations. The specific issues discussed were the proposed May meeting between US and Australian legal professional bodies and regulators, differences between the American Bar Association's (ABA) Foreign Legal Consultant (FLC) rules and Australia's model laws/regulations for Australian-Registered Foreign Lawyers, and changes to FLC rules in US states of particular interest;
- Discussions were held on the ABA's initiative to organise a meeting with representatives from relevant US national and state legal bodies in May for the purpose of discussing MRS initiatives. USTR indicated its willingness to support and be associated with the May meeting;
- USTR advised that the ABA had recently revised its FLC rules, which were scheduled to be approved in August 2006. The age requirement might be removed, but it is likely that the experience and commercial presence requirements will remain; and
- The ABA will be reaching out to the US states that Australia had identified as being of particular commercial interest. Colorado is looking to adopt FLCA rules (currently there are none) and Illinois is reviewing its rules with a possible view to more liberal arrangements;

However, the review process is not without its dissatisfactions. The Government of the US tends to view the Free Trade Agreement text as permanent while the Australian Government considers the text should be a platform for ongoing bilateral progress.

In the margins of the Ministerial Review, second meetings have taken place of both the Financial Services and Professional Services Working Groups. With respect to Financial Services, the US Securities Exchange Commission appears unwilling to engage directly with Australian firms.

The ABA has organised a meeting with representatives from relevant US national and state legal bodies to discuss Mutual Recognition Agreements for lawyers on Wednesday 17 May 2006 at the Australian Embassy in Washington DC. The President, Mr John North, will represent the Law Council at this meeting.

## Happenings

The International Law Section is working on a Negotiating Proposal for the Law Council of Australia on what the Australian legal profession believes the negotiating position should be.

### *Australia – Singapore Free Trade Agreement*

The second annual review is due during 2006. Industry comments to the Department of Foreign Affairs and Trade are invited by email to [Singapore.fta@dfat.gov.au](mailto:Singapore.fta@dfat.gov.au).

There are early indications that Singapore may be interested in pursuing Mutual Recognition Agreements in Professional Qualifications.

### *Australia – Thailand Free Trade Agreement*

The Free Trade Agreement text does not include a general Most Favoured Nation (MFN provision) and therefore, Australia's preferences have already been eroded by subsequent Thai Free Trade Agreements with other trading partners.

The Review Commission established under the Free Trade Agreement met in November 2005. There was agreement to take a further look this year at Services, Government Procurement & Competition Policy.

### *Australia – New Zealand Closer Economic Relations*

The Joint Standing Committee on Foreign Affairs, Defence and Trade of the Parliament of the Commonwealth of Australia is holding an inquiry into the Australia and New Zealand Closer Economic Relations (CER). The Law Council has been invited to provide comments regarding the CER.

The specific terms of reference for the inquiry are:

- The nature of Australia's existing trade and investment relationships;
- Likely future trends in these relationships;
- The role of Government in identifying and assisting Australian companies to maximise opportunities under the CER; and
- Complementary policy approaches by the two governments

For more information please go to [www.aph.gov.au/house/committee/jfadt/nz\\_cer/index.htm](http://www.aph.gov.au/house/committee/jfadt/nz_cer/index.htm).

The International Law Section will establish an Expert Panel in relation to this matter and it is hoped that a submission can be forwarded to the Joint Standing Committee. Interested practitioners are encouraged to contact the Administrator of the ILS.

### *Australia-ASEAN-New Zealand FTA negotiations*

Progress in these negotiations is complicated and slowed by the overlap with a variety of bilateral Free Trade Agreements, WTO negotiations and internal ASEAN arrangements.

Difficulties have also arisen due to the marked diversity of the ASEAN membership, the complexity in achieving common ASEAN positions and the limited ASEAN negotiating resources. Some divergence of

## Happenings

negotiating positions is also appearing between New Zealand and Australia, especially in areas such as intellectual property. Australia seems to be taking a more ambitious approach reflecting Australian industry interests.

The ASEAN countries are hesitant with respect to both Services and Investment liberalization. However, they appear to accept that negotiating progress must be made in "lockstep" in both the Goods and Services areas. The ASEAN countries remain adamant, on the other hand, that Government Procurement should be excluded from the Free Trade Agreement.

It is not likely that the original deadline of March 2007 can be met.

### *Australia - China Free Trade Agreement negotiations*

The fourth round Australia – China Free Trade Agreement negotiations took place in Canberra from 27 February to 2 March 2006. This was the first substantive negotiating meeting to be held in Australia.

The Chinese delegation consisted of 29 representatives from a wide range of key agencies, including the Ministry of Commerce, National Development and Reform Commission, Ministry of Agriculture, Ministry of Construction, Ministry of Education, Ministry of Finance, Ministry of Information Industry, Ministry of Labour and Social Security, General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, China Banking Regulatory Commission, China Insurance Regulatory Commission, State Administration of Foreign Exchange and the State Intellectual Property Office. The Australian delegation also included representatives from a wide range of relevant agencies.

Discussions at this meeting covered a range of areas including agriculture, SPS, trade in goods, rules of origin, customs procedures, government procurement, technical barriers to trade, services and investment including education, financial services, telecommunications, e-commerce and movement of people, intellectual property, transparency, competition policy, dispute settlement and other institutional provisions. Legal Services were not discussed in detail.

The aim for this meeting was to obtain agreement on how both sides would approach negotiation of the provisions of the Free Trade Agreement and of the market access concessions the Australian Government will be asking of each other in areas such as tariffs on goods and market access for services and investment.

Overall, progress was reasonable but mixed. The fourth meeting has provided a solid basis for substantive discussions to begin at the fifth meeting on virtually all possible provisions of the text of the Free Trade Agreement. This is in keeping with the framework for the negotiations, as set out by Ministers, that all issues will be on the negotiating table.

Some areas of importance to Australia, such as investment and government procurement, remain sensitive for China and more work will be needed to develop an approach for negotiations that is satisfactory to both sides.

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In some areas, Australia needs more information on China's policies. Australia continues to put forward specific industry concerns that illustrate its real commercial interests in the Free Trade Agreement negotiations.

The commencement of the market access negotiations in goods, agriculture and services will be slower than Australia had hoped.

Nevertheless, it remains the aim of both sides to begin negotiations on goods and agriculture around the middle of the year. The Government will continue to consult industry and other stakeholders in the lead-up to these negotiations.

In services, a key area for Australia, there are significant differences between the approaches of Australia and China. Further discussion is required to reach agreement on how to approach the market access negotiations in a way that is likely to produce the best outcomes.

Australia's aim is to begin market access negotiations as quickly as possible and to proceed more or less in step with the negotiations in other areas.

The Chinese delegation noted that the negotiations with Australia were complex and represented a level of ambition in an Free Trade Agreement that was unprecedented for China. They reaffirmed China's strong, political-level commitment to the negotiations and to produce mutually satisfactory outcomes.

The Australian delegation noted that the negotiations would be complex and challenging but Australia would approach them constructively. The Australian delegation confirmed their willingness to negotiate for as long as it takes to achieve high-quality, commercially valuable outcomes in the form of a single undertaking.

Both sides confirmed that negotiating rounds would take place roughly every three months. They agreed that the next round of negotiations would take place in Beijing, tentatively scheduled for late May.

It has now been confirmed that the Federal Attorney-General's Legal Services Mission to China will take place 2 - 7 July 2006. The Attorney-General will lead the Mission to Beijing and Shanghai. There has been a lot of interest in participating in the Mission - there will be at least 25 participants. Mr Tim Bugg, who will be President of the Law Council at that time, will represent the Law Council in this Mission. Mr Glenn Ferguson, a member of the LCA Executive and of the ILS Executive, will participate on behalf of his own firm. Mr Ron Heinrich, the Chair of the ILS - Commonwealth Lawyers' Focus Group, will also participate on behalf of his firm in the Mission.

### *Australia - Malaysia Free Trade Agreement negotiations*

Malaysia has been giving high priority to completion of its Free Trade Agreement discussions with Japan and New Zealand. Things are moving more slowly with Australia.

The Services aspects are especially difficult, with no resolution yet in sight on the Positive or Negative-list approach. Australia is unwilling to accept any services offer from Malaysia that is not clearly better than is

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available in the WTO. An inter-sessional meeting on Services is planned for mid-March. It seems increasingly unlikely that these negotiations can be completed by mid-2006 as originally hoped.

The Law Council has been very active in the past in lobbying for the liberalising of the legal services market in Malaysia. The President, Mr John North, has visited Malaysia several times and met with the Malaysian Attorney-General, the Hon Tan Sri Abdul Gani Patail, to discuss this important issue. Tan Sri and members of the Malaysian Parliament have also visited the Law Council Secretariat. At the request of Tan Sri, the Law Council has submitted a brief paper outlining details of professional requirements of Australian lawyers seeking to practise foreign law in Malaysia to the Malaysian Attorney-General. The Law Council is continuing this work in 2006.

Negotiations on the proposed free trade agreement with Malaysia were conducted in Canberra during the week commencing 13 March 2006. The Department of Foreign Affairs and Trade (DFAT), as host of the Malaysia – Australia Free Trade Agreement (MAFTA) negotiations, invited Mr John North to participate in a roundtable on service issues with Malaysian trade negotiators on Wednesday 15 March 2006. This roundtable provided an opportunity to discuss Australian experiences with services sector reform and to outline Australia's trade interests directly to senior Malaysian negotiators and to emphasise to them the opportunities a comprehensive Free Trade Agreement can bring to the expansion of bilateral trade and investment. Mr Russell Miller, Chair of the ILS, also attended this roundtable in his capacity as representative of the International Legal Services Advisory Council (ILSAC). The Malaysian Bar Council also had a representative at the negotiations to participate in discussions on legal services.

Mr North, Mr Miller, Mr Jim Dunstan (ILSAC) and Ms Nicoll were able to have an additional meeting with Mr Andrew Khoo from the Malaysian Bar Council to continue the discussion.

The International Law Section is currently preparing a draft negotiating brief for the Law Council following the recent round of discussions.

### *Australia - United Arab Emirates FTA negotiations*

In general, the services aspects of the negotiations appear to be held up. Australia is pursuing a Negative-list approach on Services, focussed especially on key export sectors such as Construction and Education. Some key educational "badging" issues remain to be resolved for United Arab Emirates branches of Australian institutions.

The Agreement seems likely to include a chapter on Telecommunications but no market access offer has been made.

Things are looking a little more positive on Legal Services where Australia is trying to achieve some flexibility in the current joint-venture arrangements in the United Arab Emirates.

Financial Services remains an area of sensitivity in the United Arab Emirates. However, there are some indications that the foreign investment limit of 49%, which still generally applies in the United Arab Emirates, might be negotiable.

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The United Arab Emirates wants to have improvements on Visas and Movement of Natural Persons. The United Arab Emirates is also interested in a bilateral deal in relation to the Foreign Direct Investment.

The Australian Government is trying to secure the inclusion of a general Most Favoured Nation (MFN) clause as insurance to protect

Australia against losing ground via future United Arab Emirates FTA's with other trading partners.

Of special interest is the fact that Saudi Arabia has now cleared the way for the member countries of the Gulf Cooperation Council to negotiate FTAs on a regional as distinct from bilateral basis. Saudi Arabia is understood to have requested of both the UAE and the Australian Governments that the mandate for these negotiations be widened to enable a GCC-wide FTA with Australia. At this stage, the inclination seems to be to finish on a bilateral basis.

### *Australia – Japan Free Trade Agreement Feasibility Study*

Australian officials are pushing for completion of the study ahead of the two year deadline. Japanese officials are displaying some ongoing reluctance, particularly on Agriculture. There may be some scope for a more constructive approach on services but rapid progress is not expected on any of the regulated services sectors.

## **UNCITRAL Working Group Proposes Reforms to Model Arbitration Law**

Judith Levine, a New York based member of the ILS, represented the Law Council as part of the Australian delegation to a working group of the United Nations Commission for International Trade Law (UNCITRAL). UNCITRAL has the general mandate to further the progressive harmonisation and unification of the law of international trade.

The Working Group on International Arbitration and Conciliation met at the UN headquarters in New York from 23 to 27 January 2006. The Australian delegation was led by an officer of the Attorney-General's Department, Ms Sandra Power. A third member, Mr Alex Baykitch, represented the Australian Centre for International Commercial Arbitration.

The purpose of the meeting was to reach agreement on some key proposals for reform to the UNCITRAL Model Law on International Commercial Arbitration. The proposals will be considered by UNCITRAL in June or July of this year.

The Model Law provides a pattern that law-makers in national governments can adopt as part of their domestic legislation on arbitration. It covers all stages of the arbitral process and reflects worldwide consensus on key aspects of international arbitration practice. Over 45 states have enacted legislation based on the UNCITRAL Model Law, including Australia (in the form of the



*The UN Headquarters in New York, place of the UNCITRAL Working Group meeting.*



*Represented the Law Council at the UNCITRAL Working Group meeting: Ms Judith Levine.*

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International Arbitration Act 1974 (Cth), Part III). The two key topics addressed by the Working Group were:

- **Interim Measures.** The Working Group concluded a review of the Model Law provisions relating to the power of an arbitral tribunal to grant interim measures, recognition and enforcement of interim measures issued by an arbitral tribunal, and court-ordered interim measures. The proposed new provisions are more detailed on the types of interim measures available, the requirements to be met to qualify for such relief and other procedural aspects. While most Model Law countries are likely to incorporate these new provisions on interim measures, there was strong opposition among some Working Group delegations to proposals for provisions relating to ex parte "preliminary orders". When UNCITRAL considers these proposals later this year, this opposition is expected to continue.
- **Writing Requirement.** The Working Group addressed the requirement in the Model Law that an arbitration agreement be "in writing." A minority of countries was willing to do away with the writing requirement all together and agreed upon a final text to achieve that end. The majority would not go so far, but agreed that the somewhat rigid writing requirement should be applied in a flexible manner, that it should take account of modern means of communication (such as email) and situations where the parties orally or by their conduct incorporate a separately documented arbitration agreement. The UNCITRAL Secretariat is working on language to reflect the majority approach, and will present both the minority and majority approaches as alternative texts for UNCITRAL to consider.

The Working Group also suggested that a joint expert group be formed to review arbitration provisions being considered by the Working Group on Transport Law, in the context of a draft convention on the carriage of goods by sea. This new convention may have implications for Australian shippers. Finally, the Working Group discussed possible future work. New projects may include a revision of the UNCITRAL Arbitration Rules (celebrating 30 years this year), issues of arbitrability, sovereign immunity in arbitration, online dispute resolution, anti-suit injunctions, the impact of arbitration on third parties and multi-party arbitrations.

### **Launch of the Law Council's International Strategy**

As previously reported in the last newsletter, a Working Party comprising members of the Law Council and ILS Executives met in Sydney late last year to assess the progress of the Law Council's International Strategy. This Working Party examined the recommended objectives of the International Strategy and assessed whether these objectives had been achieved. It also assessed the value of the objectives given the experience of the first year and recommended additional international projects it believed should be undertaken in 2006. The overall view of the Working Party was that the International



*Were at the launch of the Law Council's International Strategy: Mr Nicholas Cowdery QC, Co-Chair of the LCA's Human Rights Observer Panel, Mr John North and two officers from the US Embassy.*

Strategy has worked very well and effectively. The results of this review were delivered to the Law Council's Directors and following their comments, a program for international visits in 2006 has been settled.

To publicise the Law Council's International Strategy, the Law Council invited representatives from relevant Embassies and officers from the Department of Foreign Affairs and Trade and the Attorney-General's Department to a cocktail party at the Secretariat in February this year. Guests included representatives from Indonesia, China, Malaysia, Thailand, Japan, South Korea, the USA and New Zealand as well as representatives of the Australian profession such as Nicholas Cowdery AM QC, the Co-Chair of the Law Council's Human Rights Observer Panel, and officers from government departments.

For more information and photos please go to the News section of the ILS website ([www.lca-ils.net](http://www.lca-ils.net)).

## International Trade Law Symposium

The International Trade Law Symposium was held at the Saville Park Suites in Canberra on 3 & 4 March 2006 and was co-hosted by the International Law Section and the Attorney-General's Department. The Symposium was hugely successful. Around 60 invited guests, including practitioners from private law firms, academics, government representatives and members of the judiciary, attended the eight sessions and participated in interesting discussion rounds. Topics discussed included free trade agreements, WTO arrangements and trade & terrorism. Speakers included academics, government officials as well as private practitioners.

A more detailed report and presented papers will be published on the ILS website ([www.lca-ils.net](http://www.lca-ils.net)) shortly.

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*Professor David Allan AM*

It is with deepest regret that I advise that Professor David Allan has passed away in February following a short illness. Professor Allan will be remembered by many as a dynamic and farsighted Chairman of the ILS. He was Chair of the ILS from 1991-1995 and his contribution to the Section and to the Law Council in general was immeasurable. Professor Allan came to Australia nearly 50 years ago from the English Bar and taught law at the University of Western Australia. He held chairs at Victoria University, Monash University, where he was Dean from 1972 to 1976, Melbourne University and Bond University. Colleagues described him as feisty, controversial, energetic, entrepreneurial, warm, and amazingly caring and supportive of his colleagues and students. Professor Allan is survived by his wife, Professor Mary Hiscock, with whom he formed a dynamic partnership in scholarship and marriage for the last 26 years. The ILS is grateful that it retains the support and assistance of Professor Hiscock, who succeeded her husband as Chair of the ILS from 1995 to 2002.

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ILS*

## *Inside the ILS*

### ***ILS – International Legal Practice Focus Group***

The International Law Section has established a subgroup within its International Legal Practice Focus Group consisting of members who were appointed by the Law Council's constituent bodies. The Chair of the ILS wrote to all constituent bodies inviting them to nominate a council member for this subgroup. The ILS would like to use this subgroup to discuss current international legal service issues with representatives from constituent bodies to ensure that the work of the Section is communicated to the Law Council's constituent bodies. To date, the following representatives have been nominated:

- Mr Ian Berry, Queensland Law Society
- Mr Brian Hatch, Law Society of the ACT
- Mr Andrew Hudson, Law Institute of Victoria
- Mr James Jarvis, Law Society of South Australia

The first meeting of this subgroup was held on 29 March 2006 via teleconference. The subgroup discussed the draft Negotiating Proposal prepared by the Law Council regarding the liberalisation of the legal services market under the Australia – US Free Trade Agreement. Another meeting is scheduled at the end of April 2006. Constituent bodies who have not yet nominated one of their council members for this group are more than welcome to do so to stay abreast of latest international legal developments.

### ***China Expert Panel***

The International Law Section has established a small China Expert Panel consisting of four experts. The Panel is a resource to which the ILS, the Law Council, the International Legal Services Advisory Council (ILSAC) and government departments can refer to obtain advice on how to proceed with the legal services aspects of negotiations.

### ***ILS – Austrade Roundtable***

Mr Andrew Hudson and Mr Ross Becroft have been appointed as convenors of the ILS - Austrade Roundtable for 2006. The Roundtable was launched in November 2004 and draws together legal practitioners and Austrade representatives. The Steering Committee of the Roundtable will prepare a program for 2006 and regular meetings will be held at the Law Institute of Victoria in Melbourne. Interested practitioners who are members of the International Law and the Business Law Sections of the Law Council are welcome to join the Roundtable and participate in upcoming meetings.

### ***New Convenor for International Legal Issues Focus Group***

The Executive of the International Law Section has appointed Judge Judith Gibson as the new convenor of the International Legal Issues Focus Group. Judge Gibson is also a member of the Steering Committee of the ILS - Europe Focus Group.

Judith Gibson is judge of the District Court of New South Wales. She is a very active member of the ILS and very interested in Chinese and European law issues. In 2004, she was appointed to a Conseil

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Scientifique advising the Conseil d'Etat (France) concerning World Bank reports ranking legal systems on business efficiency. She contributed articles in Chinese to the Sichuan Shenpan (the journal of the judges of Sichuan in China) and she has also published articles in the *Juriste International*, the *UIA* journal and other publications.

The first meeting of the Focus Group will be held in Sydney on Thursday 27 April 2006 at 5pm at the District Court premises, John Maddison Towers, 86 Goulburn Street in Sydney.

### *ILS – Europe Focus Group*

The European Focus Group of the International Law Section hosted a seminar on developments in International Group Taxation after the recent decision in *Marks & Spencer*, handed down by the European Court of Justice on 13 December 2005. This seminar was held in Sydney on Thursday 16 March 2006 at 6pm. The speaker was Mr Rolf Eicke, a Jurist and Tax Researcher at the Tax Department of the Centre for Business and Law, Albert-Ludwigs-University in Freiburg, Germany. The Symposium was very successful. More than 20 interested practitioners attended the seminar and more information about the topic of the seminar will be available soon.

The European Focus Group also co-hosted a symposium in conjunction with the National Europe Centre of the Australian National University and the Network for Japanese Law. The symposium was held in Canberra on Friday 3 March 2006. The topic was "Comparative Corporate Governance with the European Union and Japan" and the speaker was Dr Harald Baum. Dr Baum is an expert in comparative commercial law who has published on business law, corporate governance, takeovers and capital markets regulation in Germany, the European Union, Japan and the United States. A summary will be published shortly.

### *ILS – IBA Focus Group*

The IBA will be holding its next meeting in London in May 2006. The ILS – IBA Focus Group is preparing briefing materials for the Law Council representatives.

The next IBA Conference will be held in Chicago from 17 to 22 September 2006. The IBA Focus Group is planning to hold an Australian night at that Conference. Australian delegates to the Conference will be encouraged to invite at least one person from another jurisdiction. The Australian night will showcase Australian food and wine. More details will be provided in due course.

### *ILS – Commercial Law Association Alliance*

The Steering Committee met on 24 February 2006 to discuss the progress of the Alliance between the Commercial Law Association (CLA) and the ILS. The members of the Steering Committee are Mr Russell Miller, Chair of the ILS, Mr Andrew Percival, Executive member of the ILS, Ms Margery Nicoll, Director-International of the Law Council, Dr John Keogh, President of the CLA, and Mr Max Wilson, CEO of the CLA. The reason for the meeting was to work out some joint activities for 2006. The Committee discussed how the ILS could support CLA

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last words*

seminars with speakers and other assistance and vice versa. Details of joint projects will be announced soon.

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The first months of the New Year have passed and the ILS has had an excellent start. It seems that 2006 will be a very busy year. The International Trade Law Symposium proved to be very successful and there are plans to hold another Symposium next year. Law Council representatives will travel to China, Fiji and other countries to establish and maintain relations with the legal professions in those countries by building on Memoranda of Understanding. It is hoped that Dr Gordon Hughes, Executive member of the ILS, will fly to Indonesia shortly to give assistance on behalf of the Law Council to the Indonesian national legal body, PERADI. And this is just a little overview of what will be on the agenda for 2006!

I hope that 2006 has been a successful year for you so far and I am looking forward to working with you for the remainder of the year.