

ACTIVITIES OF MARINE SECTIONAL COMMITTEE FOR THE YEAR 2009-10

COLLECTION OF STATISTICS

Previously statistics were collected from the member companies but it was observed by the Committee that members were facing a lot of difficulties in providing statistics to the Association because of lengthy and complicated statistical formats. The Committee had, therefore, decided to discontinue the practice of collection of statistics from the member companies. However a format for compilation of figures from members' balance sheet was devised by the Committee. Accordingly the stats was compiled and placed on Association website. .

IAP GUIDELINES / RULES

The Committee continued its deliberations on IAP Guidelines/Rules and discussed various suggestions made in this regard by the members at the meetings. The Committee had agreed upon an initial draft but due to amendments in the Institute Cargo Clauses, the Committee felt to consider the matter after finalizing the draft of Inland Transit Clauses.

PROPOSED AMENDMENT OF RULE 35 OF THE SECP (INSURANCE) RULES 2002

Previously the Committee's attention was drawn to sub rules (1) & (2) of Rule 35 of SECP (Insurance) Rules 2002 pertaining to premium payments. The matter was discussed by the Committee and a question was raised that whether an insurer can repudiate the liability if a cover note had been issued and premium had not been paid or guaranteed. The Committee had sought legal opinion in the matter and referred it to the Executive Committee for seeking guidance.

In view of ambiguity in the said Rule the matter was considered by the Executive Committee and it was felt that this matter involves discussions on a market level and should be handled at IAP level so that the whole market's opinion was reflected. Accordingly the matter was deliberated by the Executive Committee at its various meetings and there was unanimity of views that it would be prudent that some modification be suggested in the Rule in consultation with SECP. Therefore, a Sub-Committee was constituted by the Executive Committee comprising of following members who worked with the assistance of renowned lawyers M/s. Orr, Dignam & Co, Advocates.

Capt. Azhar Ehtesham Ahmed (Coordinator)
Mr. Mujib Khan
Mr. Fakhir Rahman
Mr. Mahmood Lotia
Mr. Muhammad Ali Zeb

The Executive Committee deliberated upon the draft wording suggested by the working group at its various meetings and final version of the draft was forwarded to SECP for its consideration and necessary action.