

COMITÉ MARITIME INTERNATIONAL

Questionnaire on National Maritime Law Associations (“NMLAs”)

This Questionnaire has been developed to assist the CMI in having a better understanding of all its member associations. We hope that this will also lead to an improvement in the dialogue between us and that the CMI work product will better reflect the wishes of its membership. It is also designed to identify potential problems that our NMLAs may have with their organization and work product, and how the CMI could provide assistance if it is wanted.

We would appreciate it if you would reply to this Questionnaire by April 30, 2007. The results will be considered at the next Executive Council meeting and Assembly to be held in Dubrovnik on May 10 and 11, 2007. A report to all NMLAs will subsequently be issued on the results of the Questionnaire. Naturally, any information provided on a confidential basis will not be disclosed.

1. Name of your Association?

*Associazione Italiana di Diritto Marittimo
(Italian Maritime Law Association)*

2. Year formed?

1899

3. Year joined CMI?

In 1899

4. Is your Association incorporated? If not, what is your legal status?

No. The Italian MLA is an association qualified by the Italian Civil Code as “not recognised”, i.e. not recognised as a legal entity. The Italian MLA is a non profit association.

5. How many members do you have? If applicable, please break these numbers down into separate categories such as regular members, corporate members, law firms, etc. What type of corporate members do you have (insurance companies, banks, shipping companies etc.)? How many individuals within your corporate and law firm members are active in Association work? You may wish to give consideration to advising the CMI the maritime community you represent.

Total members: 186

Out of which:

- Individual members (lawyers, average adjusters, surveyors, university professors, officers of the Coast Guard): 160*
- Corporate members (either associations/corporations or officers of associations/corporations): 25:*
 - Italian Ship’s Register (RINA), Genoa*
 - Fincantieri Shipyard, Trieste*
 - Chamber of Commerce, Genoa*

- *Italian Shipowners Association (Confitarma, Rome)*
- *Banchero & Costa, Shipbrokers, Genoa*
- *Burke & Novi, Shipbrokers, Genoa*
- *Port Authority, Trieste*
- *Assicurazioni Generali, Insurance Company, Trieste*
- *Assiteca S.A. Insurance brokers, Genoa*
- *Coe & Clerici S.p.A., Shipowners, Milan*
- *Maritime Insurance Committee, Genoa*
- *Grandi Navi Veloci S.p.A., Shipowners, Genoa*
- *Fondiarria SAI S.p.A., Insurance Company, Florence*
- *Ignazio Messina & C. S.p.A., Shipowners, Genoa*
- *Videri F. & L., Average Adjusters, Trieste*
- *Lloyd Triestino di Navigazione S.p.A., Shipowners, Trieste*
- *ANIA National Association of Insurance Companies, Rome*
- *Navale Assicurazioni S.p.A., Insurance Company, Milan*
- *Premuda S.p.A., Shipowners, Genoa*
- *SASA Assicurazioni, Insurance Company, Trieste*
- *Parisi Spedizioni, Forwarding Agents, Trieste*
- *IPSEMA, The Marine Welfare Association, Rome*
- *SIAT Soc. Italiana Assicurazioni Trasporti, Genoa*
- *Honorary members: 1*

The active members are very few.

6. Does your Association restrict itself to CMI work and/or projects? If not, please describe your other work or projects.

Even though the CMI related work is the main activity of the Italian MLA, we organize from time to time seminars and meetings on international or domestic maritime topics. In May 2006 we organized a colloquium in Genoa on the UNCITRAL Draft Convention and on the Athens Convention 2002. In November 2006 we organized a meeting in Genoa on the protection of the marine environment from oil pollution; the 20 April 2007 there will be a colloquium in Trieste on port services and the relating legal framework in Italy and Slovenia. We are presently considering a possible topic for a colloquium to take place in November 2007, the idea would be a colloquium on the Third Maritime Safety Package (Erika III). Generally we try to organize events concurrently with the Assemblies which are now held twice a year.

7. How many of your members are under 35 years old? Do they pay a lower membership fee? Are they organized in any way? If so, please describe.

We have 25 members below 35 years of age who pay a reduced membership fee. They are not separately organized. The Italian MLA is of the view that this would not be advisable since young members should participate to the life of the Association jointly with senior members. Senior and junior members should work together. This is the best way for junior members to take advantage of the experience of senior members. Members under 35 years old and State or public administration officers pay a reduced membership fee. Membership fees are the following: individual members: Euro 100; young members/State officers: Euro 50; corporate members: Euro 250.

The Italian MLA is presently organized in three regional committees: Genoa, Trieste and Rome. The Genoa Committee has the higher number of members (some 100) whilst Trieste and Rome have some 40 members each. Efforts are made to increase the harmonization between the three committees.

8. Do you have conferences, seminars and open meetings of your own?

See our response to question 6.

9. Do you belong to any organization other than the CMI? If so, kindly identify them. Are other organizations members of your Association? If so, please describe.

The Italian MLA belongs to Federazione del Mare, the Italian Maritime Cluster which brings together a number of Italian maritime organizations: ANCIP, the Port Operators' Association; ASSOPORTI, the Port Administration Association; ASSORIMORCHIATORI, the Port Towage Association; CONFITARMA and FEDARLINEA, the Shipowners Associations; FEDEPILOTI, the Pilots Association; IPSEMA, the Maritime Welfare Association; FEDERPESCA, the Fishing Association; RINA, the Italian Ship's Register; TMCR, the Coastal Shipping Association and UCINA, the Yacht Industry Association.

10. Have you thought about exploring other ways of raising funds other than by annual fees? If so, would you share your ideas with the CMI?

We try to obtain funds from various sponsors when organizing seminars and colloquia.

11. Would you like to host a CMI conference, colloquium or symposium some day? Have you hosted any in the past? If so, please give particulars.

The Italian MLA has hosted two CMI Conferences, one in 1925 in Genoa and one in 1951 in Naples, and a CMI Colloquium in Venice in 1983. Of course the Italian MLA would be honoured to host again in the future further CMI events.

12. Is your CMI annual subscription paid from general revenues or is each member assessed? If each member pays his or her share, how do you go about assessing annual fees of your membership?

The CMI annual subscription is paid out of the global revenues that consist of the membership fees. After payment of the CMI subscription and the current expenses/costs very little money is left.

13. Does your Association agree with the present "Questionnaire policy", i.e., the relatively widespread use of Questionnaires in order for the Executive Council, International Sub Committees and International Working Groups to obtain information, comments and views from the NMLAs on work in progress? Do you reply to Questionnaires regularly? Do you often find that you need more time to answer them properly?

We believe the "questionnaire policy" to be the best manner to start the study of a new topic and it is regrettable that many member Associations do not answer questionnaires. However we think that it might be useful to improve the cooperation of National Associations in drafting questionnaires in two ways:

- a) *There may be problems that arise only under certain legal systems and the authors of a questionnaire may be unaware of them. Perhaps one question could be added to questionnaires, with the view to obtaining suggestions as to additional questions that are deemed to be of interest in order to fully cover the area to which a questionnaire is related.*
- b) *Sometimes questions drafted by persons with a specific legal background (e.g. a common law or a civil law background) may not be properly understood by persons with a*

different legal background. In order to avoid responses that are beside the point, perhaps Associations could be invited to state immediately whether all questions are clearly understood.

We think that to our knowledge we have always replied to CMI questionnaires.

14. Do you have any problems with the management functions of the CMI at present? Do you have any suggestions for improvement and how we can serve our members in a more effective way?

No.

- 15 Apart from replying to Questionnaires, does your Association participate in the regular workings of the CMI (International Working Groups, International Sub Committees, etc.)?

We believe that our Associations has always tried contribute as much as possible to the work of the CMI.

16. Do you have any advice on how the NMLAs can be more involved in the decision-making process of the CMI?

This is a very difficult question. The CMI has about 55 member Associations, but normally not more than 20-25 (depending on subjects) contribute to the work of the CMI. The others do not take any part in the life of the CMI. Perhaps some efforts could be made to contact them on a personal basis. For example, one of the management functions being "National Associations", the persons listed thereunder could write to the presidents of the Associations within the area for which they are in charge in connection with this questionnaire, drawing their attention to the importance that the CMI attached to it and to the importance to obtain an input from all member Associations.

- 17 Is your membership increasing? Declining? Remaining the same? Is there any way the CMI can help you to improve your own Association?

Increasing. There were 162 in October 2005 when new officers were appointed for a three years term.