

PRESIDENT'S MESSAGE



The old adage "One man's meat is another man's poison" is as true in the area of dispute resolution as it is in other walks of life.

Our Institute is involved in facilitating the resolution of disputes including significantly the training and qualification of persons involved in those processes.

This is not and should not be seen as endorsement or encouragement of disputes.

They are an inevitable consequence of almost every human activity.

It seems generally true that as the rate of economic expansion slows or stalls altogether the level of disputes between commercial parties increases at least initially.

Continued contraction of the economy ultimately leads to conditions where disputing parties have not the financial capacity to formally pursue a dispute and less costly, less time consuming processes become more attractive.

Australia has long past the initial economic slow down and, as a consequence, in part this has contributed to the growing interest and utilisation of non-formal dispute resolution processes.

There are these options available.

In the area of international trade and commerce it is generally true to say that the rest of the world, although experiencing significant economic slow down, has yet to reach the depths of the situation as it exists in Australia.

In the area of international commercial dispute resolution differing cultural, legal and commercial considerations, together with ultimate enforceability have in the past and will probably continue to recognise only arbitration as the appropriate process.

As a consequence, through the Australian Centre for International Commercial Arbitration, an organisation essentially controlled by your Institute but having additionally other representation including that of the Australian Bar Association and the Law Council of Australia, the involvement of Australia and Australians in international commercial arbitration is increasing.

In the few short years of its existence ACICA has achieved international prominence and influence, something of which all members of the Institute of Arbitrators Australia can be proud.

A.A. de FINA
President

COMMENTARY

During last December members were mailed subscription notices in respect of their annual Institute membership subscription for 1993. No doubt members observed that the subscription rates for 1993 were unchanged from the previous year.

In framing the 1993 budget, the Council has budgeted for a small increase in membership subscriptions on the basis that there will be a slight nett increase in membership during 1993 and that costs can be contained at a level whereby they can be covered by income from subscriptions and other sources such as educational programmes, investment income, etc. The bottom line is that for 1993 the Institute expects to break even or end the year with a small surplus. In the present economic environment this result, if it can be achieved, is considered satisfactory.

Council being aware of the present state of the economy and present reduced levels of commercial activity was anxious that if at all possible, members should not be burdened with increased subscriptions at this time.

Council looks forward to the continued support of members at its various arbitration and conciliation courses, its Conference at Sanctuary Cove in May and at the numerous activities being arranged by Chapter Committees throughout Australia. Council has no intention of reducing the level of educational activity during 1993 nor the present level of services provided to members and the commercial community. On the contrary every effort is being made at Council and Chapter level to improve these services and the level of educational activities and to continue to provide members with high quality, affordable, educational programmes.

Financially, the Institute is in good health and with continued vigilant financial control and good housekeeping there is no reason why this position should not be maintained during 1993.