



# RIMS CANADA

## NEWSLETTER

SEPTEMBER 2009

BROUGHT TO YOU BY THE RIMS CANADA COUNCIL

## A MESSAGE FROM THE RIMS CANADA COUNCIL

**W**elcome to our most eastern chapter as they host the 2009 RIMS Canada Conference. No doubt, we will be treated to an excellent conference experience with true eastern hospitality. Don't miss the opportunity to enjoy the culture of Newfoundland – kiss a cod, get 'screeched in', do a jig or whatever it takes to make this conference memorable.

RIMS Canada Council (RCC) is a standing committee of RIMS that addresses Canadian activities and strategic initiatives of RIMS and risk management in Canada by promoting, coordinating and supporting the activities of RIMS in Canada, the ten Canadian RIMS chapters, and the RCC subcommittees. The RCC currently has three subcommittees: the National Conference Committee (NCC), the National Education Committee (NEC) and the Communications and External Affairs Committee (CEA). There is also a committee-in-the-works focusing on Membership.



RIMS Canada Council consists of one elected representative from each Canadian chapter. For example, I am the RCC representative for the Ottawa chapter. All the RCC members are deputy members of RIMS. Each acts as a liaison between their chapter and the Council. The Council elects from its members an Executive, for a two-year term, which consists of the Chair, Vice Chair, Treasurer, Secretary and Past-Chair. This Executive is responsible for the assignment of portfolios to Council members and for the general administration of the RCC.

RIMS Canada Council liaises with the RIMS Board of Directors, Committees and staff to enhance the activities of RIMS and risk management in Canada. The Council works to maximize the participation of Canadian risk managers on RIMS committees and the use of the RIMS structure in addressing issues related to the practice of risk management in Canada.

If you would like to know more about the RCC or any of its subcommittees or have an interest in participating, I encourage you to contact your chapter RCC

representative or visit [www.rimscanada.ca](http://www.rimscanada.ca). Additionally, Bonnie Wasser is the Canadian consultant for RIMS and can be reached at [bwasser@sympatico.ca](mailto:bwasser@sympatico.ca). Most of us are here for the conference and would welcome the opportunity to exchange ideas.

Currently, the 10 members of the RCC and the 3 subcommittee Chairs are:

Chair	Kim Hunton, Canadian Capital Chapter (Ottawa)
Vice Chair	Tino Brambilla, MARIMS (Winnipeg)
Treasurer	Tom Oystriick, SARIMS (Calgary)
Secretary	Sue Mepham, SaskRIMS (Regina)
Past Chair	Glen Frederick, BCRIMA (Victoria)
Members	Andrea Cameron, Maritime (Halifax)
	Julie Chapdelaine, QRIMA (Montreal)
	Betty Clarke, Newfoundland & Labrador Chapter (St. John's)
	Roman Parzei, ORIMS (Toronto)
	Gwen Tassone, NARIMS (Edmonton)
CEA Chair	Phil Corbeil, SARIMS (Calgary)
NEC Chair	Jeff Schaafsma, BCRIMA (Victoria)
NCC Chair	Marley Drainville, SARIMS (Calgary)

Enjoy your conference experience! Remember we are always seeking volunteers and any of us would love to chat with you about your future with RIMS, the RCC or one of our committees.

Kim Hunton  
RCC Chair

### COURSE CALENDAR

Enterprise Risk Management for the Advanced Practitioner  
September 17-18, 2009  
St. John's, NL

Strategic Risk Control  
November 19-20, 2009  
Toronto, ON

Developing a Risk Management Program for Your Organization  
February 18-19, 2010  
Toronto, ON

Each of these courses provides credit towards the RIMS Fellow designation. Visit [www.rimscanada.ca](http://www.rimscanada.ca) for the most current course calendar and to register for these courses.

# WELCOME TO ST. JOHN'S AND THE 2009 RIMS CANADA CONFERENCE



**A** hearty welcome to the beautiful, historic City of St. John's on behalf of the local organizing committee for the 2009 RIMS Canada Conference. We are delighted that you have made port in our fair city to attend the conference and we promise you an experience not soon to be forgotten.



Our dedicated team of committee volunteers have worked very hard to ensure your journey is enjoyable and educational. We encourage you to learn and broaden your horizon by attending the exceptional educational and networking sessions the conference has to offer.

Be sure to visit the exhibition hall. You will enjoy the beautiful venue and the opportunity to interact with industry partners to discover the new and exciting programs and information they have to share with you.

After a hard day's work make time for some fun and great food, Newfoundland and Labrador style. Network with colleagues, kick up your heels, kiss a cod or two, your journey has just begun. Enjoy your sailing adventure. We'll be keeping an eye out for you on deck and on George Street.

SHIPS AHOY!

Betty Clarke and Marilyn Leonard  
Conference Co-Chairs

## A SUMMER OF RISK: A STUDENT'S EXPERIENCES AND PERSPECTIVES ON THE FIELD OF RISK

BY ALEXANDRA SELLERS

**I** never thought that I'd end up in Risk Management - but really, who does?

As a student entering my fourth year of studies at the University of Calgary's Haskayne School of Business, I had planned to go into International Business and pursue trade with China. The whats and hows weren't yet decided when I started my degree but I had years to figure out the details. I studied Mandarin for a year, took my first-year business classes and quickly realized an important fact: over a billion people have been speaking the Mandarin language from birth. Logic said I needed to switch into a different and more specific area of business. Unfortunately for me, there are 18 areas a Haskayne student can concentrate in and I didn't have time to try them all.

I took classes in Operations Management, Information Systems, Accounting and Finance. Finally, in my third year of studies, I enrolled in 'Introductory Risk Management 317' with Anne Kleffner. I chose this course mainly because the course (covering Homeowners' and Auto Insurance) seemed very practical. For me, what differentiated this concentration from all the others was that it involved so many different types of skills. As one of those people that is "good at everything but not great at anything", I've always found it difficult to decide where to focus my energies. Finally I had found something that required mathematical skills, an understanding of people, technical knowledge of how things work accompanied by lots of background knowledge, curiosity, and the analytical ability to interpret and help create legal documents. Quickly, Risk Managers became idealized in my mind as gypsies capable of predicting the future (at least statistically, logically and creatively figuring out what may happen), holding the Insurance Act in one hand and a laptop beeping with new messages in the other. It's quite an image and who knew I'd find that this is an area that is challenging, interesting, ever-changing and full of friendly people?

The summer after my introductory class, I began a Co-Operative Education Internship with the Risk Management & Claims Department at The City of Calgary. I've enjoyed my time at The City, reading Statements of Claim, familiarizing myself with the many insurance policies and going on risk assessments to places such as the Talisman Centre. I feel that I was fortunate to get this position and that a formal education must be supplemented with hands-on experience and mentorship in order for students to become passionate about their goals and have a grasp of how classroom concepts will be applied in the real world. One of the most important things I've learned is that this career path is one for the perpetual student. Considering that risk affects every area of The City of Calgary, the Risk Manager must be in constant consultation with all parties involved, ensuring that they have adequate plans to mitigate risk, while answering any questions that arise. Risk Managers seem to be forever challenged with newly identified issues.

While I have taken only one risk-specific class thus far, I genuinely feel like I am on the right path. Before graduation and pursuing my CIP and CRM, I am looking forward to the five risk classes I have next year as well as getting more involved in the Calgary risk community by volunteering with risk organizations such as ARMI (a Haskayne students' club), RIMS and SARIMS. With such a close-knit community it makes sense to be active, meet inspiring and fun people, and learn as much as possible. While one can focus on Risk, it is an area that requires a panoramic mental lens with a broad conceptual understanding and the supplementation of life experiences gained outside a classroom.

Thank you for this opportunity to share my thoughts and I look forward to being an active RIMS member in the future!



## 2009 RIMS Canada Conference Committee

Conference Co-Chair	Marilyn Leonard, Nalcor Energy
Conference Co-Chair	Elizabeth Clarke, City of St. John's
Social Chair	Elaine Henley, City of St. John's
Social Co-Chair	Gerry Beresford, Nfld. Transshipment
Industry and Sponsorship Chair	Elizabeth Clarke, City of St. John's
Industry and Sponsorship Co-Chair	Paul Power, Honorary Member
Registration Chair	Boyd Snow, Colonial Auto Parts
Communications	Rick Woodford, NL Housing Corporation
Communications Co-Chair	Glenn Davis, Exxon Mobile
Program Chair	Marilyn Leonard, Nalcor Energy
Treasurer	Pat Ryan, Fortis Inc.
Secretary	Gail Cullen, Aon Reed Stenhouse
Event Planner	Marlea Whitley, MyTravel Sinfonia

## THE VALUE OF VOLUNTEERING

BY CATHY MYLES, EPCOR UTILITIES INC.

**S**uccess of an organization is a result of the time, talent and commitment of people. The foundation of RIMS in Canada is built on the long standing dedication of volunteers from the RIMS community. As a new volunteer, I have gained a true appreciation and respect for the individuals who have actively participated in developing this professionally recognized and robust community. Each volunteer brings business and industry experience, specialized skill, and a fresh perspective which supports the overall strategy that benefits all members.

As an employee of a leading utilities company, volunteering has expanded my professional relationships and has opened doors to alternate avenues of intellectual information that can not be drawn from a text book or by sitting in

front of a computer. Professional intelligence is not restricted to single contacts or providers but rather from an enhanced database of resources that surges from shared occupations and experiences.

There is an inherent value that is earned from volunteering that is priceless for both the professional individual and the organization. I would strongly encourage all members to participate on local or national boards and invest directly back into your profession.

Seize the reward of initiating positive change, creating valuable relationships, friendships and realizing personal growth while shaping the future of our industry.



## EMPLOYERS

### SUPPORT STAFF INVOLVEMENT

BY TRUDY POUND-CURTIS,

ASSISTANT VICE-PRESIDENT FINANCE & CFO, YORK UNIVERSITY

**Y**ork University is extremely proud of our staff who volunteer the treasures of their time, energy and talents to the various National and Regional Committees of not-for-profit organizations that promote and support professional management and effective leadership in administrative affairs.

Organizations such as the Risk & Insurance Management Society serve as a valuable resource for specialized staff at Universities where they may be the only specialist within the institution due to the allocation of scarce resources in administrative support areas.

Steve Pottle, Manager of Insurance and Risk Management at York University has been an active volunteer in many capacities with RIMS, the CEA subcommittee of the RIMS Canada Council and with the local chapter. Steve has also been an active member on subcommittees for the Canadian University Reciprocal Insurance Exchange.

Through his involvement as a participant or in various leadership capacities with these organizations Steve has been provided with many valuable opportunities that have greatly benefited the University as well as his own professional development.

I strongly encourage and promote the involvement of our staff with these highly professional organizations and some of the benefits that both Steve and York have received as result of his involvement include:

1. Valuable networking opportunities with colleagues across the country who have specialized expertise and experience
2. Access to "Best Practices" for implementation at our own institution
3. Opportunities for professional and leadership development
4. Opportunities for staff to participate as part of a larger group to advocate on issues that are important to us
5. An audience for the views of our institution to be represented on emerging issues or potential legislative changes
6. Personal engagement for Steve in his field of knowledge which results in positive work performance
7. The ability to develop an expertise that he may not have been able to develop within their own institution.

These are just a few of the benefits that I believe that both Steve and York have received as a result of his volunteerism on these committees and I would strongly encourage all employers to support their staff in their involvement with these types of organizations.

# VOLUNTEERING CAN TAKE YOUR RIMS EXPERIENCE TO A NEW LEVEL



**E**arlier this year, when Joseph Restoule, CIP, CRM, RIMS president, former RIMS Canada Council (RCC) chair and member of RIMS Southern Alberta Chapter, was asked what prepared him for taking on the Society's top leadership role, he pointed to his volunteer days at the chapter level and participation in RIMS committees as what best equipped him for serving on RIMS board of directors.

"Without that experience," says Restoule, "I'm not sure that I would have had the level of confidence to pursue serving on RIMS board of directors."

"Serving on RIMS Audit Committee, allowed me to explore new areas of risk management—areas unfamiliar to me before," adds Kim Hunton, RCC chair and member of RIMS Canadian Capital Chapter.

When asked about other reasons for volunteering, RIMS members often speak of the doors that leadership networking can open, both professionally and as within RIMS, not to mention the ability to shape the discipline's position on hot button industry affairs.

"I learned a lot by serving on RIMS Conference Programming Committee," comments Janet Stein, CRM, vice chair of RIMS Conference Programming Committee and member of RIMS Southern Alberta Chapter. Stein was also very involved with planning the 2006 RIMS Canada Conference in Calgary. "We came from different backgrounds, so we were each able to contribute a unique perspective to the committee. I also gained a better understanding for the diverse topics that are on the minds of my fellow risk managers."

As these members have attested, there's a world of opportunity for those who are interested in volunteering with their chapters, RIMS Canada Council committees and at the Society level.

Susan Meltzer, CRM, FCIP, former RIMS president, former RCC chair and member of RIMS Ontario Chapter, says, "It's a win-win situation for members

and RIMS: For members, there are many reasons for volunteering, including helping one grow professionally. As volunteers, you have the chance to expand your knowledge of risk management practices and the chance to hone leadership skills. For RIMS, member volunteers represent a ready pool of experts on risk management-related issues."

Additionally, active volunteers lead to more engaged members—something that the Society depends on for its relevance and vitality! Perhaps Nowell Seaman, CIP, CRM, RIMS board member, former RCC chair and member of RIMS Saskatchewan Chapter, summed it up best when he said: "Member involvement helps ensure that RIMS remains relevant to the needs of risk managers and maintains its position as the leading authority on risk-management related issues. Volunteering on one of its committees or the board takes your RIMS experience to a new level."

RIMS offers its Canadian members volunteer opportunities to serve on:

- Chapter Boards of Directors
- Other Chapter Activities (non Board)
- RIMS Canada Council (RCC) National Conference Committee
- RCC Communications and External Affairs Committee
- RCC National Education Committee
- Student Mentors for RIMS Canada Conference
- Local Organizing Committees for RIMS Canada Conference when chapter is hosting
- RIMS Committees
- RIMS Board of Directors

For information on RIMS volunteer opportunities in Canada, contact Bonnie Wasser, RIMS Canadian Consultant, at (416) 636-9745 or [bwasser@sympatico.ca](mailto:bwasser@sympatico.ca).

For information on RIMS volunteer opportunities in Canada, visit: <http://community.RIMS.org/RIMS/RIMS/AboutRims/Leadership/LeadershipOpportunities/Default.aspx>.

## THANK YOU TO OUR 2009 CANADIAN VOLUNTEERS

### RIMS Canada Council and Subcommittee Volunteers

Tino Brambilla, Manitoba Hydro, RIMS Canada Council Vice-Chair  
 Doug Brown, City of Regina, National Conference Committee  
 Andrea Cameron, Empire Company Limited, RIMS Canada Council  
 Julie Chapdelaine, Ivanhoe Cambridge, RIMS Canada Council  
 Barbara Carscadden, Canada Mortgage & Housing Corp., National Conference Committee  
 Scott Clark, Miami-Dade County Public Schools, RIMS Board of Directors Liaison to the RIMS Canada Council  
 Betty Clarke, City of St. John's, RIMS Canada Council, National Education Committee  
 Phil Corbeil, City of Calgary, Communications and External Affairs Committee Chair  
 Chris Cross, L-3 Communications - Mapps Inc., National Education Committee  
 Marley Drainville, Enerplus Resources Fund, National Conference Committee Chair  
 Melissa Ferreira, Toronto Transit Commission, Communications and External Affairs Committee  
 Glen Frederick, Government of British Columbia, RIMS Canada Council Past Chair  
 Maureen Graham, City of Ottawa, National Education Committee  
 Carrie Green, CURIE, National Education Committee  
 Chris Grelson, Capital Regional District/Victoria BC, Communications and External Affairs Committee  
 Angela Haywood, AltaLink, National Education Committee  
 Elaine Henley, City of St. John's, Communications and External Affairs Committee  
 Kim Hunton, City of Ottawa, RIMS Canada Council Chair  
 Dave Jackson, Saskatchewan School Boards, National Education Committee  
 Lance Kayfish, City of Kelowna, Communications and External Affairs Committee  
 Marilyn Leonard, Nalcor Energy, National Conference Committee  
 Lynda Lyttle, Stantec Consulting Ltd., National Education Committee  
 Karin McDonald, Hydro One Networks Inc., National Conference Committee  
 Sue Mephram, Saskatchewan Property Mgmt. Corp., RIMS Canada Council Secretary  
 Cathy Myles, EPCOR Utilities Inc., Communications and External Affairs Committee  
 Tom Oystriek, Mount Royal College, RIMS Canada Council Treasurer  
 Roman Parzei, City of Brampton, RIMS Canada Council, National Conference Committee  
 Steve Pottle, York University, Communications and External Affairs Committee  
 Adib Samaan, J.D. Irving Ltd., National Education Committee  
 Jeff Schaafsma, City of Surrey, National Education Committee Chair  
 Jim Swanson, Province of Manitoba, National Education Committee  
 Gwen Tassone, City of St. Albert, RIMS Canada Council, National Conference Committee  
 Michel Turcotte, Quebecor Media Inc., National Conference Committee

### RIMS Board of Directors and Committees

Glen Frederick, Nominating Committee  
 Lois A. Gardiner, Standards and Practices Committee  
 Lynda Lyttle, Professional Development Advisory Committee  
 Joe Restoule, RIMS President  
 Nowell Seaman, RIMS Director  
 Janet Stein, Vice Chair, Conference Programming Committee  
 Grant Williamson, Conference Programming Committee

### Chapter Officers and Directors

#### British Columbia

Jennifer Clarke  
 Glen Frederick  
 Gloria Gao  
 Christopher Grelson  
 Dan Heaman  
 Gord Howling  
 Steve Matterson  
 Jeff Schaafsma  
 Gordon Wainwright  
 Vilma Zanchettin

#### Canadian Capital

Alison Baizana  
 Barbara Carscadden  
 Rachel Charlebois  
 Kim Hunton  
 Anthony Lackey  
 John Lamme  
 Mark MacDonald  
 Inga Michalek  
 Greg Strahl

#### Manitoba

Valerie Barber  
 Julia Beckwith  
 Tino Brambilla  
 Beverley Duthoit  
 Donna Grieve  
 Tania Kowalchuk  
 Jim Swanson  
 Ken Wasiuta

#### Maritime

Andrea Cameron  
 Carol Campbell  
 Bruce Langille  
 Vanessa MacLean  
 Dee Milne  
 Adib Samaan

#### Newfoundland & Labrador

Betty Clarke  
 Elaine Henley  
 Marilyn Leonard  
 Patrick Ryan

#### Ontario

David Beal  
 Kelly Buda  
 Kristopher Ceelen  
 Melissa Ferreira  
 Karin McDonald  
 Sarah Mikolich  
 Lisa Morine  
 Roman Parzei  
 Stephen Pottle  
 S. Michelle Reid  
 Grant Williamson

#### Quebec

Julie Chapdelaine  
 Sylvia Herreck  
 Marie-Josée Leduc  
 Veronick Marcotte  
 Janice McGraw  
 Orlando Perugino  
 Michel Pontbriand  
 Michel Rodrigue  
 Michel Turcotte

#### Saskatchewan

Randy Besse  
 Wayne Bischoff  
 Lisa Brost  
 Doug Brown  
 Mervin Dahl  
 Gordon Dolney  
 Dave Jackson  
 Sue Mephram  
 Deborah Meyers

#### Southern Alberta

Paul Bains  
 Juliane Charrett  
 Tina De Jong  
 Dariusz Delon  
 Curtis Desiatnyk  
 Brennan Ford  
 Angela Haywood  
 Rieneke Lips  
 Thomas Oystriek  
 Joe Restoule  
 Deana Wagner

# DID YOU KNOW?

## FACTS ABOUT RIMS IN CANADA AND THE RIMS CANADA CONFERENCE

- The McGannon Foundation sponsored 2 students to come to the RIMS Canada Conference this year. This is the first time that an official student program is being offered at the conference.
- 485 people earned their CRM (Canadian risk management designation) this year.
- 6 Canadians earned their RIMS Fellow this year.
- CRM courses are currently offered at 14 universities in 7 provinces across Canada, as well as by distance learning. Courses are offered in both official languages.
- Two community colleges and one university are in discussions to offer CRM courses as part of full-time studies curricula.
- There are close to 960 RIMS members in Canada.
- There are RIMS members in all ten provinces and three territories. Yes, that means that there are RIMS members in Iqaluit, Whitehorse and Yellowknife.
- The RIMS Canada Council is one of 15 RIMS committees. The RIMS Canada Council is composed of one representative from each of the 10 Canadian RIMS chapters.
- The RIMS Canada Conference is the second largest annual risk management conference in the world.
- Each Canadian chapter is given the opportunity to host the RIMS Canada Conference once every ten years. Thank you to all of the Canadian chapters who take up the challenge to host the Canadian risk management community!
- The next three RIMS Canada Conferences are planned for Edmonton in 2010, Ottawa in 2011 and Saskatoon in 2012.
- The current President of RIMS is Canadian. In the last ten years, there have been three Canadian RIMS presidents.
- The RIMS Canada Council's website is at <http://rimscanada.ca>. The RIMS Canada Conference website is at <http://conference.rimscanada.ca>.
- If you want to see the RIMS Canada Conference videos from 2006 up until this year, visit the RIMS Canada library in the Community section of the RIMS website at <http://community.rims.org/RIMS/RIMS/Community/Resources/LibraryDocuments/Default.aspx?LibraryKey=3e524156-e028-410a-a445-08e072ed6dab>. Since the videos were posted in the library in February, 2009, they have received over 500 views each!

## RCC SUBCOMMITTEE UPDATE NATIONAL CONFERENCE COMMITTEE

The National Conference Committee is anxiously awaiting the St. John's Conference to be held September 13th – 16th, 2009. This year's conference, like all our Canadian Conferences, promises to be one of substantial educational value and great networking opportunities, all taking place in a magnificent setting called Newfoundland and Labrador. Join us and listen to the exciting key note speakers including Rex Murphy and General Rick Hillier, to name a few, and attend educational sessions. Visit the eastern most tip of Canada and of course enjoy the infamous "George Street" as we the NCC and the Co-Chairs, Betty Clarke and Marilyn Leonard, and their committees look forward to seeing you there.

The NCC has been working on several initiatives this year including the announcement of a new National Event Planner. We would however, like to take this opportunity to sincerely thank MyTravel Sinfonia for their contribution over the past several years. We are extremely pleased to announce the appointment of Experiential Events, our new National Event Planner, under the direction of Ken Kristoffersen. Experiential Events, for your information, have won multiple international awards in event planning and conference management over the past several years. They will commence as the designated National Event Planner for our RIMS Canada Conferences, post the Newfoundland conference, to be showcased in Edmonton Alberta, September 26th - 29th, 2010.

We retained the services of BDO Dunwoody LLP, as our new National Auditors for all Local Organizing Committees (LOC) commencing as of July, 2009. The services of BDO should prove to be of great assistance to each LOC for the purposes of continuity of data and production of the required budgets and financial statements.

The NCC has enhanced the LOC Conference Award Agreement and corresponding Manual to provide a more comprehensive outline of mandatory and suggested requirements for each of the LOC's with regard to the management for their specific conferences.

We prepare a 5 and 10 year strategic plan on an ongoing basis to ensure we are meeting the needs of our members and exhibitors. However, should there be any suggestions you may have, please do not hesitate to contact us for consideration.

Thank you to all of our delegates, sponsors and exhibitors for your continued support of the RIMS Canada Conferences and we look forward to seeing each of you in St. John's.

Marley Drainville  
Chair, NCC

## NATIONAL EDUCATION COMMITTEE

**T**he National Education Committee has been dedicated to providing high quality educational opportunities to RIMS members in Canada.

The NEC continues to support quality chapter educational program by assisting chapters with funding for education sessions and RIMS Fellow Workshops. Workshops are held in most chapters in Canada with good attendance from the local chapter and supported by attendance by members from other chapters.

The NEC and RIMS are organizing two webinars on behalf of the RCC and the Manitoba Chapter. Several years ago, the Manitoba Chapter graciously donated \$10,000 for educational opportunity development for Canadians. The dates have not yet been finalized but the topics will be Risk Control and the new ISO 31000 Standard for Risk Management. Both of these topics will be an excellent source of information for risk managers and we would definitely recommend that you make some time in your schedule for these webinars.

The NEC along with the McGannon Foundation has been looking at ways to bring more risk management education to students at the college and university level. Several colleges and universities have taken steps to include all, or parts, of the CRM program in their business, safety or risk management programs that are currently running or in the planning stages. It has been an

exciting opportunity to be on the ground level as these schools fully appreciate the value that risk management has to a multitude of disciplines.

The NEC has partnered with the McGannon Foundation on the first student sponsorship program at the RIMS Canada Conference. The McGannon Foundation received nominations for students and selected two students to participate in this inaugural year. The NEC will assist the McGannon Foundation by acting as mentors and assist in networking at the Conference for the students.

There are a several people who have served a number of years on the NEC and are stepping down in December. They are Adib Samaan (Maritime Chapter), Maureen Graham (Canadian Capital Chapter) and Jim Swanson (Manitoba Chapter), who was also past Chair of the NEC. I would like to thank them for all of their work and dedication on this committee. Their input, inspiration and friendship will be missed.

Jeff Schaafsma, RF  
Chair, NEC



## COMMUNICATION AND EXTERNAL AFFAIRS

**T**his past year the committee has been busy behind the scenes. Much of what this committee does is not outwardly evident to all members of RIMS in Canada. The CEA works behind the scenes on legislative issues that are either raised by members or through the legislative bodies looking for comment from an organization representing commercial insurance buyers. Over the past few years we have seen an increase in requests for comment which leads me to believe that the RIMS Canada Council is being viewed more and more as an organization that provides meaningful and important comment on legislative matters that can impact our industry.

This meaningful comment cannot simply come from one or two committee members as many of the issues are specific to certain jurisdictions. It is important for the CEA to seek expert opinion and comment from many of our members of RIMS across Canada. At times it seems that many of topics that we are working on are moving at a very slow pace. It is not always within our control. Legislative matters sometimes take years before they are passed. Calls for an election can delay processes.

A specific case in point was the introduction of the B.C. Insurance Act; Bill 40 - which the CEA had been consulted on - was introduced but did not proceed due to an election call. This legislation may be introduced in upcoming sessions.

Alberta introduced The Insurance Amendment Act 2008. This is the first province to complete a full modernization of their insurance regulations and have the legislation pass. This was drafted in coordination with BC and it is

suspected that other provinces will be reviewing the amendments for possible coordination of their Insurance Acts.

The Alberta Government has now sent the RIMS Canada Council as an interested stakeholder a consultation paper on changes to regulations required as a result of the recent amendments to the Insurance Act. The CEA is currently undertaking this task, keeping in mind that provinces may use similar approaches.

Other items that the CEA has been working on this past year or will be working on over the next while are;

- o Alberta Bill 48 Crown's Right of Recovery
- o CRA Excise Tax
- o Manitoba Law Reform Commission Report: Waivers of Liability for Sporting and Recreational Injuries
- o Reviewing the RIMS Legislative Handbook for Canadian use and possible implementation of a Canadian version of RIMS on the Hill
- o Communication to our membership

Finally, special thanks to Gary Locke from the Maritime Chapter who has completed his term on our committee. The CEA relies on members like Gary who are willing to volunteer their time and expertise in helping us achieve our goals.

Phil Corbeil  
Chair, CEA

## JOIN RIMS THIS MONTH AND SAVE MONEY!

**T**here has never been a better time to join RIMS!

New Corporate or Associate members who join RIMS at the 2009 RIMS Canada Conference or right up until the end of September will save U.S. \$100 on their first year's annual dues, and in addition, will also receive a Cdn. \$200 rebate on their conference registration! Visit the RIMS booth (Booth B) at the conference to sign up, or join online using the discount code "RCC09" on the payment page to take advantage of this offer.

If you know someone who isn't attending the conference, they can still use the

"RCC09" discount code to save U.S. \$100 on their first year's dues if they join RIMS as a new corporate or associate member by the end of September.

If your company is already a RIMS member, you can take this opportunity to offer RIMS benefits to more employees with risk responsibilities who are not currently additional members. You can save US\$20 per Additional Deputy member that joins by September 30, 2009 using discount code "CAD09".

For more information, visit the RIMS booth (Booth B) at the RIMS Canada Conference, or contact the RIMS Membership Department at membership@rims.org or call 212-655-6040.

# DID YOU KNOW?



## INTERESTING AND FUN FACTS ABOUT ST. JOHN'S, NEWFOUNDLAND

**C**ome discover one of the oldest cities in North America. St. John's is a city unlike any other, cradled in a harbour carved from 500 million year old rock and surrounded by hills running down to the ocean with quaint side streets of a thousand colours. Where old and new, city and nature, live as neighbours. You'll enjoy getting to know the locals as they capture your heart with their unique, witty outlook on life!!

- St. John's is the oldest European settlement in North America, founded on the feast of St. John the Baptist, June 24, 1497.
- The majority of the population in St. John's descends from Ireland and England.
- The accent in St. John's is very similar to that of Waterford, Ireland. In fact, Waterford likes to boast that we were once part of Ireland but after breaking off from there we drifted further east.
- The population of St. John's is 100,646 (2006), with 181,113 in the census metropolitan area making it the largest city in Newfoundland & Labrador and the second largest in Atlantic Canada after Halifax.
- The nickname of St. John's is "City of Legends" alluding to an accumulated five centuries of lore and legend.
- George Street boasts more bars per square foot/meter than any other city in North America, including Las Vegas and New Orleans.
- St. John's hosts what is considered the oldest continuous sporting event in North America – the Royal St. John's Regatta – a day of rowing races held on the first Wednesday in August – which dates back to 1818.
- St. John's is the oldest City and Water Street in the oldest street, in North America.
- The first transatlantic wireless signal was received in St. John's by Guglielmo Marconi on December 12, 1901 just below the Cabot Tower in Signal Hill.
- Signal Hill is Canada's second largest National Historic Site.
- St. John's has the only public Fluvarium in North America where one can observe through underground windows the underwater life of a river.
- St. John's continuously has one of the lowest crime rates in North America. Indeed the local police force, the Royal Newfoundland Constabulary, did not carry firearms until 1998.
- St. John's has been identified as having one of the highest proportions of scientists and engineers per capita of any city with a population less than one million in North America.
- The Grand Concourse, an award-winning integrated walkway network spanning the St. John's metropolitan area, has 125 km of trails that link the many rivers, lakes and ponds, parks and green spaces, providing access to the beautiful natural features of the metro region.
- Pippy Park in St. John's is one of Canada's largest urban parks. It is three times the size of Vancouver's Stanley Park; over ten times that of Montreal's Mount Royal Park and larger still than Regina's Wascana Centre.



## INTERESTING AND FUN FACTS ABOUT NEWFOUNDLAND & LABRADOR

- The sun rises on North America right here in Newfoundland.
- Newfoundland is the 16th largest island in the world.
- Newfoundland and Labrador is Britain's oldest colony and was an independent dominion until it became Canada's youngest province in 1949.
- Newfoundland and Labrador is the only province in Canada to have its own anthem – The Ode to Newfoundland.
- No place is more than 100 km from the ocean.
- There are no snakes, skunks, deer, porcupines or groundhogs on the island of Newfoundland.
- On September 11, 2001, 13,000 passengers and crew on 78 transatlantic aircraft landed in Newfoundland and Labrador. In the next five days, 5-6,000 volunteers provided 250,000 meals and housing to these stranded guests.
- Newfoundland has its own time zone – Newfoundland Standard Time (NST) which is Greenwich time plus 3.5 hours.

# LIABILITY WAIVERS AND THE LIMITATION OF RISK

BY BRUNO DE VITA

**W**aivers are an important tool for businesses and government organizations to effectively delineate and limit the scope of their risk when entering into contracts with others. A defendant with a well-drafted waiver may be able to have significant personal injury claims dismissed summarily, saving the time and expense of defending the claims on their merits.

When interpreting and applying waivers, the courts are concerned with two primary issues. First, whether the waiver is worded in such a way that it covers the accident that occurred. Second, whether the litigant is bound by the terms of the waiver, given the particular circumstances of the case.

The jurisprudence in this area indicates that a party seeking to rely on a waiver to limit its exposure to liability should ensure that the language of the agreement covers a broad range of eventualities. Indeed, the ambit of the contractual waiver may be an important element of the contractual negotiations between the parties. It is particularly essential to address liability for the releasee's own negligence in the waiver, as liability for negligence must be excluded using clear words. It is also good practice to include a general statement of the inherent risks of the activity in question in order to give context to the contract and clarify the nature and extent of the risk that the releasor agrees to assume.

If the waiver is ambiguous in any way, it will be interpreted strictly against the party who drafted it, in most cases the releasee. Accordingly, waivers should be written in clear terms using plain language and prefaced by a clearly visible heading that indicates the nature of the document. Specifically, the waiver should include words that clearly explain its legal import. Many of the waivers upheld by the courts begin by stating the following:

## Release of Liability, Waiver of Claims, Assumption of Risks and Indemnity Agreement

**By Signing This Document You Will Waive Certain Legal Rights, Including the Right to Sue**

**Please Read Carefully!**

Well-drafted waivers require releasees to place their initials next to these words. This serves to rebut any subsequent argument that they did not appreciate the import of what they were doing when the waiver was signed.

Even if the waiver is drafted in unambiguous terms, the releasor may still not be bound by it. The leading British Columbia case on waivers, *Karroll v. Silver Star Mountain Resort Ltd.* (1988), 33 B.C.L.R. (2d) 160 (S.C.) establishes that, in general, a person is bound by the terms of a waiver which they have signed. There are three exceptions to this general rule, which apply if the releasor can demonstrate that a) the waiver was signed "in circumstances which made it not her act"; b) the waiver was induced by fraud or misrepresentation; or c) in the circumstances, a reasonable person would have known that the releasor did not intend to agree to the waiver and that the releasee failed to take reasonable steps to bring the contents of the waiver to the releasor's attention. The majority of waiver jurisprudence focuses on the third exception to the general rule.

A releasee must also be given a reasonable opportunity to familiarize himself or herself with the release before having to sign it. If, given this opportunity, the releasee still chooses not to read the waiver before signing it, courts will likely find that the waiver is enforceable. If the party who drafted the release can demonstrate that the releasee had a reasonable opportunity to make herself aware of the contents of a waiver, a court will generally not accept the argument that the patron did not read or understand the waiver.

Moreover, even if the releasee chooses not to read the waiver and has no knowledge of its contents, the waiver will still be enforceable if the releasor can satisfy the court that it took all reasonable steps to draw the terms of the waiver to the attention of the releasee.

In determining whether all reasonable steps were taken, the court will examine the practices of the releasor in terms of how it makes releasors aware of the waiver and how it obtains signatures. If evidence regarding the releasee's practice is unavailable, the court will then scrutinize the waiver itself to determine if the releasee took

reasonable steps to draw the terms of the waiver to the attention of the releasor. This can include the use of larger font, darker letters, coloured areas, capital letters and other methods of drawing attention to the waiver and its implications.

For organizations involved in programs or events which entail a certain level of inherent risk, a waiver program is one way to control exposure to liability. A release may also serve as a statement of the risks inherent in an event or activity, thus helping to eliminate as participants those individuals who are not prepared to assume the risk. Further, the waiver may serve to reduce a participant's expectation of recovery, which in turn may tend to reduce the incidence of frivolous or unmeritorious claims. While the waiver defence will not always be successful, the use of waivers should be part of every risk management program.

For a sample waiver form, please feel free to email the author at [bdevita@ahbl.ca](mailto:bdevita@ahbl.ca).

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