Welcome 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. Additionally, Bonnie Wasser is the Canadian consultant for RIMS and can be reached at 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 Oystrick, 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 for the most current course calendar and to register for these courses.
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!
success 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.

57x795}

success 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.

2009 RIMS Canada Conference Committee

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

THE VALUE OF VOLUNTEERING
BY CATHY MYLES, EPCOR UTILITIES INC.

The value of volunteering 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

York 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

Earlier 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 serving 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 2008 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 (not 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 where 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.

For information on RIMS volunteer opportunities in Canada, visit: http://community.RIMS.org/RIMS/AboutRIMS/LeadershipLeadershipOpportunities/Default.aspx
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 keynote 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

The 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

This 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:
- Alberta Bill 48 Crown’s Right of Recovery
- CRA Excise Tax
- Reviewing the RIMS Legislative Handbook for Canadian use and possible implementation of a Canadian version of RIMS on the Hill
- 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!

There 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 Can. $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.
Come 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.

DID YOU KNOW?

- 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.

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.

INTERESTING AND FUN FACTS ABOUT NEWFOUNDLAND & LABRADOR
LIABILITY WAIVERS AND THE LIMITATION OF RISK

BY BRUNO DE VITA

Well-drafted waivers require releasors 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 releaser may still not be bound by it. The leading British Columbia case on waivers, Carroll 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 releaser can demonstrate that a) the waiver was signed “in circumstances which made it not her act”; b) the waiver was induced by fraud of misrepresentation; or c) in the circumstances, a reasonable person would have known that the releaser did not intend to agree to the waiver and that the releaser failed to take reasonable steps to bring the contents of the waiver to the releaser’s attention. The majority of waiver jurisprudence focuses on the third exception to the general rule.

A releaser 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 release 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 releaser 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 intend to agree to the waiver.

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

In determining whether all reasonable steps were taken, the court will examine the practices of the releaser in terms of how it makes releasors aware of the waiver and how it obtains signatures. If evidence regarding the releaser’s practice is unavailable, the court will then scrutinize the waiver itself to determine if the releaser took reasonable steps to draw the terms of the waiver to the attention of the releaser. 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 defense 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@ahl.ca.

Bruno De Vita is a partner in the Vancouver law firm of Alexander, Holburn, Beaudin & Lang LLP and practices in the area of civil litigation with an emphasis on insurance law, municipal liability and personal injury litigation. He is recognized in Lexpert and The Best Lawyers in Canada as a leading lawyer in the field of insurance law.

Editorial Policy

The RIMS Canada Newsletter is a publication of the RIMS Canada Council and is published periodically throughout the calendar year. The opinions expressed are those of the writers and volunteer members of the RIMS Canada Newsletter Editorial Committee. Articles submitted to the RIMS Canada Newsletter for publication are subject to the approval of the RIMS Canada Newsletter Editorial Committee. Approval of such articles is based on newsworthiness, and perceived benefit to the readership. All decisions of the RIMS Canada Newsletter Editorial Committee are final and not subject to appeal. Individuals submitting articles to the RIMS Canada Newsletter hereby acknowledge their acceptance of the RIMS Canada Newsletter Editorial Policy.

Editorial Committee

Melissa Ferreira
Toronto Transit Commission
Tel: (416) 393-4018

Elaine Herley
City of St. John’s
Tel: (709) 576-8210

Phil Corbeil
City of Calgary
Tel: (403) 268-5405

Bonnie Wasser
RIMS Canadian Consultant
Tel: (416) 636-9745

THANK YOU to all of our newsletter contributors!

The RIMS Canada Newsletter is produced on behalf of the RCC by Printology.