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NOVEMBER 2024

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ETHICS FOR GOVERNMENT LAWYERS OVER LUNCH



WEDNESDAY, 16 OCTOBER, TUESDAY,
29 OCTOBER, THURSDAY, 7 NOVEMBER 2024
1.00PM TO 2.00PM AEDT

\$420
WEB2410N24

Meet your obligations under the recommendation from the Robodebt Royal Commission, that government lawyers undertake regular training on ethics issues, with these 3 ethics sessions designed specifically for government lawyers.

SESSION 1: BALANCING GOVERNMENT EXPECTATIONS WITH LAW PLUS WORKING WITH POLITICAL ADVISORS AND MINISTERIAL OFFICES

WEDNESDAY, 16 OCTOBER 2024
1.00PM TO 2.00PM (AEST)

\$160
WEB2410N24A

Chair: **Sonja Gasser**, Principal Solicitor, ACT Government Solicitor

Legal Ethics and Professional Responsibility

Balancing Government Expectations with Law

- Boundaries of the in-house government lawyer's responsibilities
- The line between law and policy
- The lawyer's obligations
- Identify the client
- Employee v professional and conflict of interest
- Legal professional privilege scope and protection
- Public interest immunity: scope

Working with Political Advisors and Ministerial Offices

- Role scope definition and juggling law, policy, politics
- Drawing the lines of responsibility
- Protecting the in-house counsel
- Managing legal professional privilege in oral and written contexts

Presented by **Greg D Ross**, Principal, Greg D Ross - Lawyer Ltd

SESSION 2: BEST PRACTICE PROFESSIONAL STANDARDS FOR IN-HOUSE TEAMS: LESSONS FROM RECENT INQUIRIES

TUESDAY, 29 OCTOBER 2024
1.00PM TO 2.00PM

\$160
WEB2410N24B

Chair: **Andrew Yahl**, Special Counsel, Bartier Perry Pty Limited

Legal Ethics and Professional Responsibility

- Duty to avoid compromise to integrity and professional independence
- Best practice government in-house policies to support professional standards
- Considerations relating to draft advice
- Ethical scenarios faced by government in-house lawyers
- Requests to not put advice in writing or to change advice
- Dealing with unreliable assumptions and incorrect past advice
- Advice based on legal risk assessment
- Frameworks for responding to ethical dilemmas

Presented by **Elizabeth Carroll**, Partner, Holding Redlich

SESSION 3: AI AND ETHICS – ESSENTIALS FOR ETHICAL GOVERNMENTS

THURSDAY, 7 NOVEMBER 2024
1.00PM TO 2.00PM (AEST)

\$160
WEB2411N24C

Legal Ethics and Professional Responsibility

- Overlap between ethics and law
- Ethical principles of respect for individuals, beneficence and justice
- Key areas of ethical risk raised by AI
- Focus on privacy and surveillance risks
- Consequences of ethical breaches
- Governance of ethics in respect of AI

Presented by **Jim Lennon**, Special Counsel, Norton Rose Fulbright Australia

ATTEND THE FULL SERIES AND EARN

3 CPD UNITS

3 CPD Units in Legal Ethics and Professional Responsibility

NAVIGATING COMPLEX PTSD CLAIMS AND EVIDENCE IN VETERAN LAW



FRIDAY, 22 NOVEMBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2411N19

A veteran's journey through PTSD claims can be fraught with challenges, from gathering critical evidence to addressing complex ethical issues. Walk you through the essentials of building strong cases, collaborating with experts, and managing risks in veteran PTSD claims. Empower yourself to advocate effectively and support veterans with confidence and empathy.

Chair: **Tim Saunders**, Barrister, Culwulla Chambers

Professional Skills

Addressing PTSD in Veterans: Challenges, Manifestations and Implications

- Understanding PTSD in veterans
 - Definition and overview of PTSD
 - Common manifestations and symptoms specific to veterans
 - The impact of PTSD on daily life and functioning
- The role of mental health professionals in evaluating and documenting PTSD
- Case studies and practical insights
 - Real-world examples of PTSD claims and their outcomes
 - Strategies for addressing complex cases and improving evidence

Presented by **Dr Richard Magtengaard**, Psychiatrist, Resolute; served for 10 years as a Commissioned Officer within the Royal Australian Navy

Building a Strong Case: Evidence and Advocacy Strategies for PTSD Claims

- Types of evidence needed to support PTSD claims such as medical records, expert testimony and witness statements
- Practical tips and strategies for effectively advocating for veterans with PTSD including preparing for hearings and dealing with challenging evidentiary issues

Presented by **Brian Briggs**, Practice Group Leader, Slater & Gordon

Ethical Considerations and Interdisciplinary Approaches to Strengthening PTSD Claims

- Dealing with confidentiality, trauma sensitivity, conflict of interest and informed consent when acting for Veterans with PTSD
- Collaboration with healthcare professionals, partnering with medical experts and managing veteran claims
- Engagement with veteran support groups and ex-service organisations and managing veteran clients

Presented by **Paul-Raymond James**, Principal, Operational Legal Australia

Risks of Making PTSD Claims: Insights from a Veteran Barrister

From decades of experience in handling PTSD claims, a seasoned perspective on the challenges faced by younger veterans navigating these claims.

Financial Risks:

- Ongoing Justification Pressure: Claimants face significant stress in continually justifying their benefits
- Career Disruption: The claims process can negatively affect workplace continuity and future employability
- Risk/Benefit Analysis: Decisions should consider long-term lifestyle impacts, not just immediate financial gain

Psychological Risks:

- Self-Image Issues: Presenting as an invalid can reinforce negative self-views and worsen mental health
- Loss of Self-Esteem: Younger males may suffer diminished self-esteem due to inability to fulfill traditional roles
- Litigation Anxiety: Severe anxiety arises from aggressive litigation tactics and regular reviews
- Long-Term Impact: Younger veterans risk losing crucial years of their lives due to the claims process strain

Presented by **Allan Anforth AM**, Barrister, Canberra Chambers

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Substantive Law
1 CPD unit in Professional Skills

DECODING THE COMPLEXITIES OF ADMINISTRATIVE DECISION-MAKING: SOFT LAW, STATEMENT OF REASONS AND CHALLENGING REASONS



THURSDAY, 14 NOVEMBER 2024
2.00PM TO 5.15PM AEDT

\$420
2411V06

Dive into the nuances of administrative decisions with our expert-led seminar! Explore how soft law influences outcomes, the role of jurisdictional error, procedural fairness and materiality in decision-making, and the art of crafting compelling statements of reasons. Gain valuable insights to enhance your decision-making skills and navigate the complexities of administrative law with confidence.

Chair: **Mick Batskos**, Executive Director, FOI Solutions; Leading Administrative & Public Lawyer, Victoria, *Doyles Guide 2024*

Role of Policies, Guidelines and Non-Legislative Instruments in Decision Making

Policies, guidelines and non-legislative instruments have been identified as "soft law". Explore the role of soft law in administrative decision making, its status, who should consider it and when and what the possible ramifications are for using soft law in decisions.

- What is the role of soft law in administrative decisions?
 - What is soft law?
 - Who develops it and what is its status?
- Who should consider soft laws and when?
 - Internal policies and guidelines compared with regulator policies and guidelines
 - When are they a mandatory consideration?
 - Should regulators consider their own policies and guidelines?
- What are the possible ramifications?
- Can applying them (or not applying them) be reviewed and by who?
 - What happens at merits review level?
 - What happens at judicial review level?

Presented by **Elisa Hesling**, Special Counsel, FOI Solutions, Accredited Specialist in Administrative Law

Professional Skills

Importance and Features of a Good Statement of Reasons for Decision

- Is there an obligation to provide a statement of reasons: common law v statutory instrument or requirement
- Purpose to be achieved by a good statement of reasons
- What a good statement of reasons should contain
- Potential consequences of a flawed statement of reasons

Presented by **Emily Latif**, Barrister, Castan Chambers

Jurisdictional Error and Challenges to Statutory Decisions

- The concept of jurisdictional error: from *Craig to Kirk* to *LPDT*
 - No bright lines
 - The indispensability of the statute
 - The usefulness (and limitations) of taxonomies
- Procedural fairness
 - Implying the obligation of procedural fairness: *Disorganized Developments Pty Ltd v South Australia*
 - Common law obligations and statutory analogues: *AB v IBAC*
- Materiality

Presented by **Joel Townsend**, Director, Monash Law Clinic, Accredited Specialist in Administrative Law



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SUCCESSION AND ELDER LAW FOR RURAL COMMUNITIES

RECORDED IN JUNE 2024

\$230

OND246N091

Chair, **Trent Thorne**, Partner, Hamilton Locke; *Best Lawyers 2024*, Agriculture and Rural Affairs

Succession Planning for Rural Families: Key Considerations to Handing Over the Keys to the Family Farm

- Estate planning strategies for farming families
- Adult children: contributions, claims and compensation
- Testamentary trusts: a solution or a problem?
- Lessons from family provision claims, proprietary estoppel and other disputes
- When is a deed of family arrangement the answer?

Presented by **Frances Becker**, Partner, Hamilton Locke and Jack Conway, Special Coun-sel, Hamilton Locke; Accredited Specialist in Wills and Estates

Managing Ageing, Longevity and Family Conflict

- Impact of Aged Care Bill on family representation and support
- New limits on the scope and function of attorneys and guardians
- Supported Decision making: what is it and why should I care?
- Role of lawyers in helping clients manage their longevity

Presented by **Michael Perkins**, Principal, Autonomy First Lawyers and **Amber Geake**, Associate, Autonomy First Lawyers

Attend and earn 1.5 CPD units in Substantive Law

LAND ACCESS AND ENVIRONMENTAL LAW ISSUES

RECORDED IN JUNE 2024

\$305

OND246N091

Chair: **Trent Thorne**, Partner, Hamilton Locke; *Best Lawyers 2024*, Agriculture and Rural Affairs

Carbon Project Service Agreements and Sales Agreements: A Landholder Lawyer Perspective

- The market overview: economic and environmental significance of carbon projects
- Methods in carbon projects: reforestation, sequestration, verification
- A case study: Queensland's titling challenges in carbon initiatives
- Project services agreements in carbon projects: components and essentials
- Forward selling insights: implications for landholders

Presented by **Melanie Findlay**, Managing Partner, Rees R & Sydney Jones Solicitors; Chair, QLS Energy and Resources Policy Committee; Member QLS Water and Agriculture Policy Committee

Land Access and Coexistence

- Applying lessons learnt from land access from CSG projects to renewables
- Landholder rights when conduct and compensation agreements are breached
- The Environmental regulatory regime

Presented by **Angela Hellewell**, Barrister, Inns of Court

Wind Farm Proponents and Rural Land Access

- Proponents contractual regime
- Core issues: tenure, impact on agricultural activity, decommissioning
- Value: compensation and green acres
- Role of government

Presented by **Melanie Findlay**, Managing Partner, Rees R & Sydney Jones Solicitors; Chair, QLS Energy and Resources Policy Committee; Member QLS Water and Agriculture Policy Committee

Attend and earn 2 CPD units in Substantive Law

ATTEND AND EARN

3 CPD UNITS

2 CPD units in Substantive Law
1 CPD unit in Professional Skills

NAVIGATING FINANCIAL REGULATION COMPLIANCE CHALLENGES AND RISKS



THURSDAY, 28 NOVEMBER 2024
2.00PM TO 5.15PM AEDT

\$420
WEB2411N23

Are you prepared for the regulatory changes in financial services? Stay current. Receive key insights into operational risk and management relating to the new Prudential Standard CPS230, the challenges of AML/CTF compliance including the anticipated Tranche 2 reforms and the latest on the implications of payment systems regulation. Gain a clear understanding of the legal issues in data trading and learn practical ways to mitigate risks, helping you navigate the challenges.

Chair: **Alice Molan**, Partner, Herbert Smith Freehills

Payment Systems Regulation

- The latest updates and amendments to payment systems regulation, and their impact on your practice
- Recent cases involving reporting and auditing
- Regulatory compliance in payment systems

Presented by **Steven Klimt**, Partner, Clayton Utz

Navigating Challenges with the New Prudential Standard CPS230: Operational Risk Management

- Prudential Standards: Quick recap on the underpinning legal framework
- CPS 230:
 - Objectives and general requirements
 - The contractual stuff and practical suggestions

Presented by **Marcelo de Farias**, Acting Head of Legal, Auto & General Insurance

AML/CTF Tranche 2 Reforms: Are They Finally Here?

- Current status and timeline
- How these reforms will affect you
- Preparing for compliance
- Operational changes

Presented by **Andrea Beatty**, Partner, Piper Alderman; Author of 'Annotated National Credit Code', the 'Australia' chapters in the 'Consumer Finance Law Review' and the 'Banking Regulation Review'

Using Data Trading to Manage Legal Risks

With a background as the Australian Head of a major international law firm's Digital Law practice, a founding member of a leading restructuring practice, and extensive experience in complex, national and international transactions, together with James you will examine:

- The basics and importance of data trading in 2024
- Legal risks in data trading
- Data privacy, and regulatory compliance
- How to implement data trading practices

Presented by **James Myint**, Managing Partner, Stirling & Rose

CRITICAL AML/CTF COMPLIANCE UPDATE

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

THE DEATH OF PROPORTIONATE LIABILITY IN NSW?



WEDNESDAY, 16 OCTOBER 2024
1.00PM TO 2.00PM AEDT

\$160
WEB2410N20

Proportionate liability is dead! Don't miss this exclusive session on the landmark NSW Court of Appeal decision in *The Owners – Strata Plan No 84674 v Pafburn Pty Ltd* and its profound impact on proportionate liability. This pivotal ruling is reshaping the legal landscape for design and construction liability in New South Wales, signalling the effective end of proportionate liability in construction cases. Analyse the critical aspects of the Pafburn decision and explore its far-reaching implications on the *Design and Building Practitioners Act 2020* (NSW). Gain essential insights and practical strategies for navigating this new legal terrain or risk being caught out.

The Death of Proportionate Liability in NSW

Delve into the landmark NSW Court of Appeal decision in *The Owners – Strata Plan No 84674 v Pafburn Pty Ltd* [2023] NSWCA 301 and the pending High Court appeal. Explore the profound implications for the legal landscape in New South Wales and the possibilities which now arise for other jurisdictions. Explore the seismic shift caused by the Pafburn ruling as you:

- Understand the historical background and principles of proportionate liability in NSW
- Analyse the key elements and outcomes of the Pafburn decision
- Explore the implications of the Pafburn decision on current and future construction and design liability cases
- Examine the role and impact of the Design and *Building Practitioners Act 2020* (NSW) in shaping liability
- Consider the impact on existing and future contracts, insurance policies, and risk management strategies
- Discuss practical steps for managing risk and liability in light of the recent changes

Presented by **Keith Redenbach**, Principal, Redenbach Legal, Finalist, Partner of the Year Award 2022-2024, Construction and Infrastructure, *Lawyers Weekly*; Winner, Partner of the Year Award 2021, Construction and Infrastructure, *Lawyers Weekly*

Landmark Case Unpacked!

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law

DOMESTIC BUILDING CONTRACT ESSENTIALS: KEY CLAUSES, WARRANTY, CLAIMS & TERMINATION



THURSDAY, 24 OCTOBER 2024
9.00AM TO 1.15PM AEST

\$505
WEB2410Q02

In a period marked by over 1,700 construction companies entering administration, and complaints against builders on the rise across Queensland, it's now more important than ever to have a robust understanding of domestic building contracts. From common drafting pitfalls and contract variations to defending claims under the Queensland Home Warranty Scheme and costs - this A-Z walkthrough is your shield against industry challenges ahead.

Chair: **Stephanie Philippou**, Barrister, McPherson Chambers

Domestic Building Contracts: Key Clauses & Common Pitfalls

- Key clauses in domestic building contracts
- Common pitfalls in contract drafting including:
 - Identifying contract documents
 - Drafting bespoke contracts
 - Incomplete/incorrect schedules
 - Effect if contract not signed
 - Attempting to contract out of statutory requirements
 - Drafting special conditions

Presented by **Aleisha MacKenzie**, Legal Practice Director, Construct Law Group; Registered Adjudicator: Recommended Construction & Infrastructure Litigation Lawyer, *Doyle's Guide 2023*; Founding Member, Building Dispute Practitioners' Society (Queensland Chapter)

Challenging and Defending Queensland Home Warranty Scheme Decisions

- Operation of the Queensland Home Warranty Scheme
- When does cover under the scheme come into force?
- What can a builder do if a complaint is made about their work?
- Successfully challenging adverse decisions made by the Queensland Building and Construction Commission
- Successfully defending a claim by the QBCC for money paid out of the insurance fund

Presented by **James Morgan**, Special Counsel, Mahoneys; Accredited Specialist in Commercial Litigation

Practical Completion & Termination for Breach: Common Misconceptions, Pitfalls & Unintended Consequences

- Practical completion as a contractual concept
- The importance of definitions
- Termination pursuant to a clause as opposed to termination at law
- The standard clauses
- Identifying "breaches" which trigger termination clauses
- Dangers of termination clauses
- The need for strict compliance
- Challenges and disputes and the need to keep litigation in mind
- Practical preparation for a QCAT hearing

Presented by **Mark Williams**, Barrister, Level 24 Chambers: Author, *Building Contracts & Regulation Queensland*

Professional Skills

The Valuation of Costs to Complete Following Termination of a Residential or Commercial Building Contractor

- The value of the work performed at the time of termination
- The tests required to establish a causal link between post termination costs and the remaining work at termination
- Post termination scope change
- Post termination provisional sum adjustments
- The difference between the value of the remaining work at termination and the costs to complete

Presented by **Graham Topp**, Director, GTQ Expert Services; Acknowledged as a global leader for quantum expert work by Who's Who Legal; Fellow of the RICS; Fellow of the AIQS

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Substantive Law
1 CPD unit in Professional Skills

BUILD-TO-RENT TAX CONCESSIONS UPDATE



THURSDAY, 7 NOVEMBER 2024
1.00PM TO 2.00PM AEDT

\$160
WEB2411N08

With persistent talk of a housing crisis in Australia, the States and Territories are under pressure to increase housing supply. Discover how the Federal Government's draft legislation on tax concessions is set to transform the build-to-rent sector and what this means for you, and your property and construction clients. With the proposed amendments to the Income Tax Assessment Act promised to stimulate investment with over \$25 billion allocated to new housing investments, ensure you're ready to assist your clients to make the most of the changing tides ahead.

Build to Rent Tax Concessions

- Overview of the Build to Rent (BTR) federal tax concessions legislation
- Work through the main changes and features:
 - MIT Withholding Concession
 - Accelerated Capital Works Concession
- Qualifying requirements
- Key observations and clarifications: capital gains, restrictions and requirements
- Understand the affordable housing provisions

Presented by **Thomas Zilm**, Partner, Moray and Agnew; Committee Member, Urban Development Institute of Australia Urban Renewal, BTR, TOD and Local Town Centres Committee

About your presenter

Thomas Zilm

Thomas has over 15 years' experience acting for prominent domestic and international clients and providing expert advice on all aspects of property law across multiple jurisdictions including acquisitions and disposals, due diligence and taxation. Thomas specialises in large-scale land acquisitions and disposals, petroleum franchising, major and institutional leasing, shopping centre acquisition, disposal and leasing, hotel acquisition, disposal and management, childcare centre acquisition, disposal and management, off-the-plan sales, strata management, greenfield development, due diligence and taxation.

**DON'T MISS
this lunchtime
critical update
to maximise
property tax
potential**

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law

SECURITY OF PAYMENT ACT (SOP ACT) FUNDAMENTALS



WEDNESDAY, 27 NOVEMBER 2024
1.00PM TO 2.00PM AEDT

\$160
WEB2411N31

Don't run the risk of your clients facing significant delays in receiving payments for completed work, disputes due to non-compliance or leave them vulnerable to heightened risk of insolvency for persistent payment issues. Let this session be your handbook to breaking down SOPA's provisions, terminologies, applicability, and processes into understandable components. From managing payment claims to knowing your rights and obligations, this session is your essential tool. Grasp the nuances of SOPA to ensure smoother project execution and reduce the risk of payment disputes for your construction clients.

Security of Payment Fundamentals

The *Building and Construction Industry Security of Payment Act 1999* (NSW) (SOP Act) is a complex piece of legislation and requires a thorough understanding of the rights, obligations and time limits set out therein to practice effectively in the area. Benefit from this A-Z guide as you cover:

- A broad overview of the *SOP Act*
- A consideration of the rights, obligations and time limits under the SOP Act
- Grounds to set aside an adjudicator's determination (jurisdictional error)
- Common problems encountered and how to deal with them, including:
 - Validity of payment claims and payment schedules
 - Consequences of not providing a payment schedule

Presented by **Vikram Misra**, Barrister, Clarence Chambers

About the Presenter:

Vikram Misra

Vikram Misra was admitted as a solicitor in 2012 and called to the NSW Bar in 2015. He maintains a broad commercial practice and is regularly briefed in matters relating to taxation law, property law, construction law and equity. Vikram has completed a Graduate Diploma in Taxation Law at the University of Sydney in 2015 and a Master of Laws majoring in construction law and contract law at the University of Melbourne in 2016. Vikram is also a contributing author to the Domestic Arbitration, International Arbitration, Security of Payment (NSW) and Security of Payment (SA) sections of the looseleaf "Commercial Arbitration Law and Practice Service" for Thomson Reuters. Vikram is currently a casual academic at Western Sydney University in the subject "Building Law".



ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law

STEP-BY-STEP GUIDE TO REVIEWING DOMESTIC BUILDING CONTRACTS



THURSDAY, 21 NOVEMBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2411V07

This is your step-by-step guide to reviewing domestic building contracts and your key to advising clients with precision, uncovering key clauses, and identifying red flags for enhanced protection. Explore effective dispute resolution strategies, learn the art of drafting watertight clauses to avoid costly delays, and discover insider tips for amending and terminating contracts with finesse. Don't miss this essential opportunity to elevate your expertise and safeguard your clients' interests in every contract review.

Chair: **John Gurr SC**, Foley's List; Recommended Construction & Infrastructure Senior Counsel, *Doyle's Guide 2024*

How to Advise Your Clients about Domestic Building Contracts

- Key clauses and concepts to consider when reviewing a domestic building contract
- Red flags and warnings to clients
- Practical improvements to protect clients' interests

Presented by **Nathan Abbott**, Partner, Dentons; Recommended Construction & Infrastructure Litigation Lawyer, *Doye's Guide 2023*

Domestic Building Insurance: What you Need to Know

- The DBI framework: What is it and what happens if you don't have it?
- Key policy terms
- Coverage: incomplete work, structural and non-structural defects
- Overview of the claims process
- Legislative changes and new offences under the DBCA and Building Act

Presented by **Fabienne Loncar**, Partner, Moray & Agnew Lawyers

Dispute Resolution Clauses in Domestic Building Contracts

- Are dispute resolution (DR) clauses necessary and worthwhile?
- Different options to consider when drafting DR clauses
- Poorly drafted DR clauses can cause delays and additional costs
- Not all DR clauses are binding

Presented by **Adam Rollnik**, Barrister, Mediator, Arbitrator, List G Barristers; Director, Arbitration Victoria; Recommended Construction & Infrastructure Law Junior Counsel, *Doyle's Guide 2024*

Amending and Terminating Building Contracts

- Issues to consider when negotiating contracts and avoiding common mistakes
- Variations post contractual formation
- Hidden traps and tricky issues when terminating contracts
- Minimising the risk of committing any wrongful termination when acting for client

Presented by **David Fairweather**, Principal, Fairweather Legal

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

BUSINESS AGREEMENTS: CHECKLISTS & STRATEGIES



FRIDAY, 18 OCTOBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2410N05

Explore what AI can't teach you in business agreements. Gain insights on timing considerations, financing clauses, warranties. Dive into the latest issues in internet and e-commerce law, covering smart legal contracts, privacy policies, and online dispute resolution. Learn effective strategies for shareholders, focusing on responsibilities, engagement, and conflict resolution. Wrap up with risk management strategies to ensure your business deals are secure and well-documented.

Chair: **Dirk Feinauer**, Director, Feinauer Commercial Lawyers

Considerations for Seller and Buyer: What AI Can't Teach You Yet in Business Acquisitions Agreements:

- AI experiences
- Timing consideration
- Conditions precedent
- Assumptions for forecasts/ valuations
- Financing clauses: conditions v fund approval
- Warranties
- Limits on warranties
- Restraints on sellers
- Listed parties v unlisted parties
- Checklists for business acquisitions

Presented by **Mark Leaker**, Director, Leaker Partners

Internet and E-commerce Law Business and Policy: Critical Law, Strategies and Latest issues

- Internet and e-commerce: critical law, business and policy issues
- Smart legal contracts as business tools
 - Checklist of key contracts and contract terms to have in place for any online business ventures
- Business terms and conditions (customer-facing agreements)
- Signatures and authentication
- Privacy policies, confidentiality considerations & website terms of use
- Liability issues
- Online dispute resolution

Presented by **Dr Anne Fitzgerald**, Barrister, QLD Bar; Co-author, *Internet and E-Commerce Law, Business and Policy; Introduction to Intellectual Property 1st Edition; Intellectual Property Principles and Practice; and Nutshell: Intellectual Property 4th Edition*, Thomson Reuters; Member, Future & Technologies Committee, Bar Association of QLD

Strategies for Shareholders

- What shareholders can do and what they are responsible for
- Keeping shareholders informed and engaged
- Approaches to avoid conflicts among shareholders

Presented by **Amanda Comelli**, Partner, Brown Wright Stein Lawyers; Accredited Specialist Business Law and **Eleanor Arthurson**, Associate, Brown Wright Stein Lawyer

She'll be right! But Just in Case it's Not...

Proactive Risk Management: Ensuring Business Deals Stay on Track

- Understanding risk in business deals
- Identifying different risks
- Evaluating potential risks
- Mitigating risks: Tools and strategies
- Importance of preparation and documentation
- Finalising commercial agreements

Presented by **Dirk Feinauer**, Director, Feinauer Commercial Lawyers

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

BUSINESS LAW TAX ESSENTIALS



WEDNESDAY, 30 OCTOBER 2024
2.00PM TO 5.15PM AEST

\$420
WEB2410Q03

Unlock the secrets to navigating today's complex tax landscape with this Small Business Tax Essentials programme. From decoding pivotal case updates like *Bendel v Commissioner of Taxation*, to mastering taxation concerns relating to small business restructuring and who is an employee, through to managing tax audits and disputes, tax experts will guide you through every twist and turn. With insights from a former ATO commissioner, gain a competitive edge with updated tax law for your client concerns.

Chair: **Stephen Heath**, Partner, Wallmans Lawyers; Recognised as preeminent Tax Lawyer – South Australia, *Doyles Guide 2023*

Recent Developments and Case Updates

- The outcome of the AAT's decision in *Bendel v Commissioner of Taxation* [2023] AATA 3074, and its impact on Division 7A of the *Income Tax Assessment Act 1936*
- Recent Court decisions in respect of Part IVA and section 100A of the *Income Tax Assessment Act 1936*
- TR 2023/4 Income Tax: pay as you go withholding – who is an employee? Following decisions of the High Court and the Federal Court
- The recent AAT decision of *ZWBX v Commissioner of Taxation* [2024] AATA 2065, on small business structuring in respect of Early-Stage Innovation Tax Offsets

Presented by **Michael Ballans**, Barrister, Inns of Court

Small Business Restructuring

- As small businesses evolve, their commercial needs often change, which may require reassessing their initial business structure. Gain all-important insights into tax-efficient strategies for restructuring to optimise growth potential, and / or preparing for the sale or succession of private enterprises.
- Available rollovers to mitigate tax liabilities
 - Leveraging small business concessions when applicable
 - Insights and common challenges in the restructuring process

Presented by **Antony Barrier**, Director, Muro Doig

Professional Skills

Strategies for Managing ATO Audits and Disputes

- Managing ATO audits and disputes
- How to seek explanation from ATO
- Opportunities for resolution pre-amendment
- Opportunities for resolution post amendment
- Tax governance principles

Presented by **Michael Cranston**, Partner, Waterhouse Lawyers; former Deputy Commissioner, ATO

ATTEND AND EARN

3 CPD UNITS

2 CPD units in Substantive Law
1 CPD unit in Professional Skills



CLAIM ALL YOUR CPD UNITS NOW WITH OUR INTERACTIVE RECORDINGS

LESSONS LEARNED: MINIMISING THE RISK OF CONTRACTUAL DISPUTES

RECORDED IN MARCH 2024 \$160 OND243W021

Chair: **Professor Stephen Owen-Conway KC**, Sir Lawrence Jackson Chambers

Tom will discuss the various methods and means of minimising the risks of contractual disputes, drawing upon his 30 years' experience in managing disputes.

Presented by **Thomas Jacobs**, Partner, Jackson McDonald; *Best Lawyers* 2023, Alternative Dispute Resolution & Construction/Infrastructure Law

Attend and earn 1 CPD hour in Substantive Law

CROSS BORDER CONTRACTS AND DISPUTES: JURISDICTION, IP, AND RISK MANAGEMENT

RECORDED IN FEBRUARY 2024 \$160 OND242N05Z1

Chair: **Professor Stephen Owen-Conway**, Sir Lawrence Jackson Chambers
Chair: **Dirk Feinauer**, Director, Feinauer Commercial Lawyers

Starting Right: Where to litigate?

- Resolving jurisdiction issues in cross boarder litigation
- *Establishing Jurisdiction*
- Choice of forum
- Exclusive foreign jurisdiction clauses

Presented by **Dirk Feinauer**, Director, Feinauer Commercial Lawyers

IP Risk in Cross Border Contracting: What You Should be Aware of

- What IP will be transferred?
- Where will the IP go to?
- Sanction lists
- Jurisdictional issues to be aware of
- Protection of IP in a foreign jurisdiction
- Payments and disputes

Presented by **Richard Chew**, Partner, K&L Gates; *Best Lawyers* 2023, Commercial Law; *Best Lawyers* 2023, Information Technology Law 2018-present

Attend and earn 1 CPD unit in Substantive Law

UNDERSTANDING HEADS OF AGREEMENT: KEY ISSUES AND PRACTICAL INSIGHTS

RECORDED IN SEPTEMBER 2023 \$90 OND239N26Z1

Chair: **Richard Douglas**, Barrister, Francis Burt Chambers

What You Need to Know About Heads of Agreements

- Examine what exactly are heads of agreement
- What are the problems and practical issues that you need to know about

Presented by **Scott Alden**, Partner, HWL Ebsworth Lawyers; Scott has a focus on government commercial and procurement transactions

Attend and earn 0.5 CPD units in Substantive Law

NEGOTIATING AND DRAFTING CLAUSES TO LIMIT LIABILITY IN BUSINESS CONTRACTS

RECORDED IN SEPTEMBER 2023 \$90 OND239N26Z2

Chair: **Richard Douglas**, Barrister, Francis Burt Chambers

Negotiating Your Contract to Limit Your Liability When Things Go Wrong

- Legal and commercial principles relevant to clauses that limit liability
- Understanding the negotiation and drafting strategies for clauses that limit liability
- Excluding your liability for specific types of loss the other party might suffer (eg consequential loss)
- Understanding common carve-outs from clauses that exclude or limit liability

Presented by **Owen Hayford**, Principal, Infralegal

Attend and earn 0.5 CPD units in Substantive Law

NAVIGATING TECHNOLOGY CONTRACTS: KEY CONSIDERATIONS AND BEST PRACTICES

RECORDED IN SEPTEMBER 2023 \$90 OND239N26Z4

Chair: **Richard Douglas**, Barrister, Francis Burt Chambers

Navigating Technology Contracts

- What is the "Scope"?
- Changes to the contract and termination of technology contracts
- Intellectual property issues in technology contracts to be aware of
- Payments and disputes: what you need to know

Presented by **Caitlin Whale**, Partner, Baker McKenzie

Attend and earn 0.5 CPD units in Substantive Law

ADVANCED CONTRACT LAW: INTERPRETATION, INSOLVENCY, AND LITIGATION INSIGHTS

RECORDED IN MARCH 2024 \$420 OND243V171

Chair: **Bernard Quinn KC**, List G Barristers

Contractual Protections Against Default and Insolvency

- Insolvency and restructuring processes and warning signs
- Impediments to exercising rights where there is an insolvency event
- Practical options to consider where another party is, or at risk of being, insolvent
- Risk minimisation strategies at various stages of a project

Presented by **Sam Kingston**, Partner, Maddocks

Court Approaches to Contractual Interpretation

Explore:

- Principles associated with interpreting express terms
- The admissibility of extrinsic evidence
- Practical drafting tips to avoid issues associated with these when a dispute arises

Presented by **JK Muckersie**, Special Counsel, Clayton Utz

Why Just Using the Firm Template May Be Doing Your Client a Dis-Service

Be guided through a practical discussion on dispute resolution clauses analysing:

- Common dispute resolution clauses: notices of dispute, direct negotiation, mediation, arbitration, cascading options, bespoke clauses
- Factors to consider when drafting a dispute resolution clause: enforceability, ongoing relationship, speed of resolution, quantum of dispute, ability to negotiate, unfair contract terms, ousting the jurisdiction of the Court
- Checklist to consider before finalising your drafting of a dispute resolution clause

Presented by **Alicia Hill**, Principal, Sladen Legal

Hot topics in Contract Litigation: A look at Ambiguous Words, Penalty Clauses and Repudiation of Contracts

- What to do about ambiguous wording on contracts
- How to seek declaratory relief in the context of contractual breaches
- What is repudiating conduct?
- How to spot a penalty clause

Presented by **Georgina Costello KC**, List G Barristers

Attend and earn 2.5 CPD units in Substantive Law

VALUING, TRANSACTING AND CONTRACTING WITH DIGITAL ASSETS



FRIDAY, 15 NOVEMBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2411N07

Explore the legal frameworks of data sharing, storage and privacy aspects of blockchain and NFTs plus insights gained from Federal Court decisions. Examine smart contracts including the issues with AI in automated legal agreements. Navigate key tax considerations relating to transacting with digital assets and the approaches and implications of valuing and valuations of these assets.

Chair: **Amanda Comelli**, Partner, Brown Wright Stein Lawyers; Accredited Specialist Business Law

Blockchains and NFT: Transactions, Data Sharing, Storage and Privacy

- Understanding the legal framework surrounding blockchain technology and its application in transactions and data sharing
- Exploring privacy concerns
- Data storage solutions for NFTs and blockchain transactions
- Reviewing the latest Federal Court decisions in Australia and their impacts

Presented by **Dr. Adrian McCullagh**, Principal, ODMOB Lawyers; Ph D in IT security; Research Fellow at the Law Futures Center at Griffith University; Member of the Standards Australia Technical Committee on Blockchain.

Automating Legal Agreements and Data and AI Authenticity

- Smart Contracts v Smart Legal Contracts
- Smart legal contracts as property
- Data collection: issues and key focus areas
- Smart legal contracts and AI Agents

Presented by **Natasha Blycha**, Managing Director, Stirling & Rose; Member, Law Council of Australia's Digital Commerce and Financial Services Committees; Member, Decentralised Autonomous Organisation and Digital Assets Advisory Panels for the Law Commission of England and Wales; Co-author, *Oxford Smart Legal Contracts*; Financial Times' Most Innovative Lawyer and Lawyers Weekly Thought Leader of the Year

Key Tax Considerations in Transacting with these Assets

- Tax implications of transacting with cryptocurrencies, NFTs, and other digital assets
- The Australian Taxation Office's (ATO) stance on digital assets and compliance requirements
- Strategies for managing crypto tax for investors, businesses and self-managed super funds (SMSFs)
- Latest developments in crypto tax software and automation for professionals

Presented by **Maryna Kovalenko**, Director, Kova Tax; Co-Founder, β Crypto Tax

Professional Skills

Valuing Digital Assets in Legal Disputes

- Approaches to valuing digital assets such as cryptocurrencies, NFTs and other blockchain-based assets
- Legal considerations and methodologies for business valuations in the context of mergers, acquisitions and disputes
- The impact of valuation on legal outcomes and dispute resolution
- Valuation reports and compliance with relevant standards and professional requirements

Presented by **Fiona Hansen**, Senior Managing Director, Head of Valuations Advisory, FTI Consulting Australia

Professional Skills

Minimising the Risks of Technology in Practice: What Does This Exactly Mean?

- Identifying and managing risks and aligning with your client's business strategy
- Asset distribution, disputes and crypto custodian insolvency
- The role of cybersecurity and data governance
- Best practices for leveraging intangible assets to enhance business impact and enterprise value

Presented by **Joel Hanrahan**, Managing Director, Global Market, Mosaic Capital and Advisory

ATTEND AND EARN

4 CPD UNITS

2.5 CPD units in Substantive Law
1.5 CPD units in Professional Skills

CLASS ACTIONS REFORMS, STRATEGIES AND CURRENT CHALLENGES



FRIDAY, 18 OCTOBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2410N06

With new reforms regarding funding and contingency fees, the landscape of class actions is changing. Gain practical strategies from seasoned Plaintiff and Defendant lawyers providing crucial insights on how to navigate and avoid common procedural pitfalls from the initiation through to the case management of class actions. Examine shareholder and environmental class actions. Understand judicial review of approval of class actions as well as settlement approvals and fair and reasonable third-party litigation funding deductions.

Chair: **Angela Pearsall**, Partner, Ashurst Australia

Market Trends of Class Actions in Australia and Overseas

- Continued challenges for plaintiffs pursuing shareholder class actions in Australia
- The ongoing attractiveness of contingency fees and the beginning of Federal jurisdiction contingency fees
- The proliferation of plaintiff firms pursuing class actions in Australia and the increasing role of overseas actors in Australian class actions
- The drive toward data and environmental class actions globally

Presented by **Jason Betts**, Partner, Global Co-Head of Class Actions, Herbert Smith Freehills

Class Action Settlement Approvals and Third-Party Litigation Funding

- Observable trends in the exercise of judicial discretion to approve class action settlements
- Fair and reasonable deductions; legal costs, after the event insurance and funding commissions
- Common Fund Orders, Group Costs Orders, and contingency fee arrangements

Presented by **Simon Morris**, Managing Partner, Morris Mennilli

Professional Skills

'After the Event' Insurance: Its Use, Current Trends and How to Obtain It

- ATE insurance: What is it and how and why it is used in class actions
- Current trends and future developments
- How to obtain it & what to look out for

Presented by **Philip Lomax**, Managing Director, Litica

Professional Skills

PANEL DISCUSSION

Procedural Traps from Commencement and Carriage of Class Actions

- Planning class action litigation from the start to ensure success
- Common traps in pleading
- 'The Beauty Parade': managing multiplicity of actions against the one defendant:
 - How the courts are dealing with multiple plaintiffs and different jurisdictions
 - How the courts can structure the trials
 - Key pre-trial orders
- Dealing with key stakeholders: clients, insurers, media, group members, litigation funders, other parties
- Recent legislative developments and decisions

Facilitated by:

Angela Pearsall, Partner, Ashurst Australia

Panellists:

Odette McDonald, Director, Phi Finney McDonald
Nathan Rapoport, Practice Group Leader, Class Actions, Slater + Gordon Lawyers
Philip Lomax, Managing Director, Litica
Kione Johnson, Practice Leader, Class Actions, Shine Lawyers

ATTEND AND EARN

4 CPD UNITS

2 CPD units in Substantive Law
2 CPD unit in Professional Skills

10 CPD POINTS LUNCHTIME SERIES FOR IN-HOUSE COUNSEL

AUGUST – NOVEMBER 2024
1.00PM TO 2.00PM AEDT\$990
WEB2410N16

Attend to gain an update on the latest legal and commercial issues and risks impacting governance and In-House Counsel each day. Learn practical tips on how to deal with sexual harassment in a 2 hour session to kick off the series. Hear key takeaways for IP, consumer law, advertising, and marketing law, how to tackle the 'S' in ESG, make sure your business is ready for legislative changes in employment law and that you understand how to create and protect legal professional privilege in your role. Understand the UCT provisions, gain a timely update on cyber risk and insurance as well as on risks and indemnities included in contracts. Gain practical tips on working with external counsel and internal stakeholders and steps you can implement to reduce the risk of accusations of greenwashing.

WORKPLACE SEXUAL HARASSMENT: PRACTICAL GUIDE TO COMPLIANCE

RECORDED IN AUGUST 2024 \$305 OND248N16A

✓ Practice Management and Business Skills

Who is Responsible? The Role of Directors and Senior Managers in Addressing Sexual Harassment

Presented by **Erin Lynch**, Partner and **Emma Anderson**, Senior Associate, Gadens

✓ Professional Skills

Meeting Your 'Positive Duty' Obligation in Practice

Presented by **Gemma Sharp**, Special Counsel, Cooper Grace Ward Lawyers

KEY TAKEAWAYS FOR IN-HOUSE COUNSEL: IP, BRAND PROTECTION, ADVERTISING AND MARKETING LAW

RECORDED IN AUGUST 2024 \$160 OND248N16B

Key Takeaways for In-House Counsel: IP, Consumer Law, Advertising and Marketing Law

Presented by **Alison Jones**, Special Counsel, Corrs Chambers Westgarth

HOW TO TACKLE THE 'S' IN ESG

RECORDED IN SEPTEMBER 2024 \$160 OND249N16C

How to Tackle the 'S' in ESG

Presented by **Sean Selleck**, Partner, **Sara Summerbell**, Special Counsel, **Lauren Miller**, Associate, Baker McKenzie

RECENT CHANGES TO EMPLOYMENT LAW: WAGE THEFT, UNDERPAYMENTS, FIXED TERM CONTRACTS AND CASUAL EMPLOYMENT

RECORDED IN SEPTEMBER 2024 \$160 OND249N16D

Recent Changes to Employment Law: Wage Theft, Underpayments, Fixed Term Contracts and Casual Employment

Presented by **Sarah Ralph**, Oceania Law Leader, EY

FOR ALL INTENTS AND (DOMINANT) PURPOSES: CREATION AND PROTECTION OF LEGAL PROFESSIONAL PRIVILEGE FOR IN-HOUSE COUNSEL

TUESDAY 15 OCTOBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2410N16E

For All Intents and (Dominant) Purposes: Creation and Protection of Legal Professional Privilege for In-House Counsel

- The special position of in-house counsel and privilege (aka "client" legal privilege when the client is the employer)
- The "lawyer hat" and the "business hat" – where is the line drawn for in-house counsel who advise on commercial matters?
- Privilege and investigation reports – what are the lessons for in-house counsel from the Optus data breach decision?

Presented by **Angus Macinnis**, Director of Dispute Resolution, StevensVuaranlawyers

UNFAIR CONTRACTS & WORKING WITH EXTERNAL COUNSEL

THURSDAY, 24 OCTOBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2410N16F

Unfair Contracts & Working with External Counsel

- Understanding the UCT provisions
 - War stories and practical guidance
 - Key concepts
 - Pitfalls and risks
 - Advising business stakeholders
- Working with External Counsel
 - Tips for billing and budgeting - it does not need to be painful
 - Managing internal stakeholders
 - Aligning values and advice
 - Forming a team which is more than the sum of its parts

Presented by **Andrew Gray**, Partner, HWL Ebsworth

GREENWASHING: A PRACTICAL GUIDE FOR IN-HOUSE COUNSEL

WEDNESDAY, 30 OCTOBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2410N16G

Greenwashing: A Practical Guide For In-House Counsel

- What is "greenwashing" and what are the key legal risks?
- Update on current regulatory objectives and priorities
- Recent enforcement activity in Australia and globally
- Practical guide for in-house counsel to mitigate risks

Presented by **Martyn Taylor**, Partner, Norton Rose Fulbright Australia and **Zoe Lonard**, Special Counsel, Norton Rose Fulbright Australia

CONTRACT LAW IN THE CURRENT ECONOMIC CLIMATE: RISK, LIABILITY, LIMITATION OF LIABILITY AND INDEMNITIES

TUESDAY, 12 NOVEMBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2411N16H

Contract Law in the Current Economic Climate: Risk, Liability, Limitation of Liability and Indemnities

- Risk: How best to manage and allocate risk
- Indemnities: Risky or beneficial?
- What role does insurance play?
- Limitations: What to limit, when and how
- How to draft (or redraft) all of this in a way that works

Presented by **Daniel Gosewisch**, General Counsel, WorkPac Group

CYBER INSURANCE: WHAT YOU NEED TO KNOW

TUESDAY, 28 NOVEMBER 2024 \$160
1.00PM TO 2.00PM AEST WEB2411N16I

Cyber Insurance, What You Need to Know

Understand from an experience insurance litigator what cyber insurance covers, what happens when there is a cyber security breach and the steps involved with a cyber insurance claim.

Presented by **Jehan Mata**, Partner, Sparke Helmore Lawyers

ATTEND THE FULL SERIES AND EARN

10 CPD UNITS

8 CPD units in Substantive Law
1 CPD unit in Professional Skills
1 CPD unit in Practice Management and Business Skills

ACTING IN DOMESTIC VIOLENCE AND COERCIVE CONTROL MATTERS



FRIDAY, 25 OCTOBER 2024
9.00AM TO 5.15PM AEDT

\$795
2410N12

With cases under the new coercive control legislation in NSW to start coming through the system and domestic violence charges currently increasing, gain practical tips and strategies relating to bail applications for clients accused of domestic violence charges, the many trial advocacy challenges in coercive control cases and using and understanding expert evidence for these difficult matters. Be updated in sentencing trends and decisions. Navigate the intersection of both immigration law and family law on domestic violence cases and the lessons from other jurisdictions for the conduct of your cases.

SESSION 1: BAIL, ADVOCACY, EXPERT EVIDENCE AND SENTENCING IN DOMESTIC VIOLENCE AND COERCIVE CONTROL CASES

9.00AM TO 1.15PM \$505 2410N12A

Chair: **Hayley Dean**, Senior Advocate, Legal Aid NSW, Accredited Specialist in Criminal Law

Opening Comments by the Chair

Identifying the Context in Which You are Operating to Better Perform Your Work

Bail Issues for DV Accused Offenders

- The new 'show cause' requirement
- The 'red flag' behaviours indicative of domestic abuse and the safety concerns expressed by victims and their families
- Bail decisions: keeping DV accused in custody until a Supreme Court detention application is resolved
- Prosecuting perpetrators who use tracking devices in domestic violence cases

Presented by **Rachael Dobson**, Senior Solicitor, Legal Aid NSW

Professional Skills

Workshop on Preparing for Defended Coercive Control Hearings

An interactive discussion and workshop exploring how to run a defended hearing for a charge of coercive control including:

- Effective preparation
- Forensic considerations
- Tips and tricks on tackling closing submissions

Presented by **Helen Christinson**, Partner, Hugo Law Group, Recommended Criminal Defence Lawyer, *Doyle's Guide 2024*, **Rachel Thampapillai**, Barrister, Seventh Floor Garfield Barwick Chambers and **Hannah Donaldson**, Barrister, Seventh Floor Garfield Barwick Chambers

Professional Skills

Conferencing Witnesses with Histories of Coercive Control, Nonfatal Strangulation, Psychological, Physical and Sexual violence

- Recognising signs of trauma in witnesses and its effects on their ability to cope
- Identifying key indicators
- Strategies for criminal lawyers to manage traumatised witnesses effectively
- How to interview people who have experienced severe trauma

Presented by **Associate Professor Lil Vrkleviski**, Principal Clinical Psychologist, Director Psychology SLHD

Recent Developments in Sentencing

- The upwards trend of penalties for domestic violence offending
- Mitigation through evidence of rehabilitation
- Other decisions of importance
- Mastering sentencing advocacy

Presented by **Andrew Tiedt**, Director, J Sutton Associates, Accredited Specialist in Criminal Law

SESSION 2: INTER-DISCIPLINARY ISSUES AND LESSONS FROM OTHER JURISDICTIONS IN DOMESTIC VIOLENCE AND COERCIVE CONTROL CASES

2.00PM TO 5.15PM \$420 2410N12B

Chair: **Carol Younes**, Partner, Hugo Law Group; Accredited Specialist in Criminal Law; Pre-eminent Criminal Defence Lawyer, *Doyle's Guide, 2024*

Domestic Violence, Coercive Control and Visa Issues for Criminal Lawyers

- How to utilise VEVO checks and advising clients with charges
- Effectively managing sentencing and Section 14 applications for clients offshore
- Impact of charges, convictions, AVO's and sentences on visa holders
- Navigating and advising regarding visa cancellations
- Insight into mandatory visa cancellations and advising clients

Presented by **Kim Hunter**, Criminal Defence & Immigration Lawyer, Hunter Flood Lawyers, Accredited Specialist in Immigration Law

The Intersection of Coercive Control and Family Law: Navigating their Complex Interrelationship

- Relevant family law cases to consider when determining if behaviour can amount to coercive control
- Understanding that what happens in one jurisdiction will affect the other
- How to prepare a prosecution and a defence from one jurisdiction to another

Presented by **Carolina Soto**, Barrister, Black Chambers

Coercive Control: Lessons from other Jurisdictions

- Common obstacles faced by prosecutors in different jurisdictions
- Strategies employed to overcome these challenges
- Key takeaways from jurisdictions with successful coercive control prosecutions
- Emerging trends in coercive control legislation and enforcement

Presented by **Michael Gleeson**, Crown Prosecutor, Office of the Director of Public Prosecutions



ATTEND AND EARN

5 CPD units in Substantive Law
2 CPD units in Professional Skills

7 CPD UNITS

CRIMINAL LAW REFORMS AND STRATEGIES FOR BAIL, TRAIL, SENTENCING, EVIDENCE AND COMMUNICATIONS



FRIDAY, 22 NOVEMBER, 2024
9.00AM TO 5.15PM AEST

\$795
WEB2411Q02

2024 has been a demanding year for Queensland's criminal lawyers, with a flood of new legislation, developments, and directions to navigate. This must-attend program offers crucial strategies, insights, updates and current guides to sentencing, bail applications, DNA evidence, key findings from the Criminal Procedure Review and new jury directions. Dive into coercive control legislation, rethink your approach to sexual offences trials and learn how to effectively handle forensic evidence to strengthen your case.

SESSION 1: NAVIGATING SENTENCING, DNA EVIDENCE AND COERCIVE CONTROL AND CONSENT REFORMS

9.00AM TO 1.15PM \$505 WEB2411Q02A

Chair: **Nick Dore**, Managing Director, Fisher Dore Lawyers; Accredited Specialist in Criminal Law; Preeminent Criminal Defence Lawyer, *Doyle's Guide, 2024*

Current Updates on Sentencing

- Tips and traps for preparing and arguing a sentence hearing
- Important resources for sentencing: 'QLD Sentencing Guide', 'Sentencing Round Ups' and some recent 'Cases in Focus'
- QSAC's Terms of Reference on sentencing for rape and sexual assault
- Community education resources: a 'call to arms' for practitioners in educating the community about how sentencing works

Presented by **Dan Rogers**, Legal Director at Robertson O'Gorman Solicitors; Preeminent Criminal Defence Lawyer, *Doyle's Guide 2024*

Professional Skills

Advanced Issues and Limitations with DNA Evidence

- Forensic DNA testing is often held up as the 'gold standard' of forensic testing and is frequently presented without challenge at trial. Recent experience in Australia has highlighted number of important limitations and misconceptions about DNA evidence about which practitioners should be informed so that such evidence can be appropriately tested and evaluated. Join Jae Gerhard from Independent Forensic Services to cover the following:
- The types of testing which can be undertaken in relation to biological origin of material
 - Limitations to testing of biological fluids
 - Trace DNA and it's transfer and persistence
 - Complex DNA profile interpretation, STRmix(TM) analysis, and limitations to the interpretation
 - Laboratory accreditation

Presented by **Jae Gerhard**, Principal Scientist, Independent Forensic Services

Key Recommendations and Findings of the Criminal Procedure Review: Magistrates Court 2024

- The Local Court of Queensland
- The Criminal Procedure (Local Court) Bill
- Proposed changes to disclosure, case conferencing and case management

Presented by **Tom Gardiner**, Principal, Fisher Dore; Leading Criminal Defence Lawyer, *Doyle's Guide 2024*

Professional Skills

Risk Assessment for Defence and Prosecution in Coercive Control: Navigating Complex Domestic Violence Cases

Intimate partner homicide has a 100% correlation with coercive control. IPH has become the most predictable type of homicide and potentially the most preventable type of homicide. This session traces the 20 years of research. Amanda will guide participants in how to use a coercive control risk assessment as a screening tool in their practices to identify and protect victims from the risk of domestic abuse and serious harm.

Presented by **Dr Amanda Gearing**, Investigative Journalist, Author and Broadcaster

Coercive Control and Affirmative Consent and Other Legislation Amendment Act 2024

- What are the changes and when do they commence?

Presented by **Simon Lewis**, Barrister-at-Law, Robertson Chambers; Leading Criminal Law Junior Counsel, *Doyle's Guide 2024*

SESSION 2: STRATEGIES FOR BAIL, PROTECTED COUNSELLING COMMUNICATIONS AND SEXUAL OFFENCES TRIALS

2.00PM TO 5.15PM \$420 WEB2411Q02B

Chair: **Emma Higgins**, Legal Director, Robertson O'Gorman Solicitors, Recommended Leading Criminal Defence Lawyer, *Doyle's Guide, 2024*

Guide to Bail Applications

- Key factors for bail
- Step by step guide to bail: From police release to Magistrate court appearances and typical bail conditions
- Bail presumption in Queensland
- After bail refusal

Presented by **Adam Moschella**, Senior Associate, Bell Criminal Lawyers; Accredited Specialist in Criminal Law

Adapting to the Evolving Landscape of Client Communications in Criminal Law: Protected Counselling Communications

- Explore the developments both the law and practice surrounding Protected Counselling Communications which have continued to evolve at pace
- Key judgements that have been handed down in the last 12 months
- Practical pitfalls that you should avoid

Presented by **Cameron Browne**, Director, Potts Lawyers, Recommended Leading Criminal Defence Lawyer, *Doyle's Guide, 2024*

Prosecuting and Defending Trials for Sexual Offences: Rethinking Strategies

- Updates to the Evidence Act and jury directions require different approaches to trials involving sexual offences
- Think like a juror: Updating trial strategies for success with modern juries
- Practical tips and discussion about sex offence trials

Presented by **Sarah Farnden KC**, Holmes Chambers; Recommended Senior Counsel Criminal Law QLD, *Doyle's Guide 2024*



ATTEND AND EARN THE FULL DAY

7 CPD UNITS

5 CPD units in Substantive Law
2 CPD units in Professional Skills



CLAIM ALL YOUR CPD UNITS NOW WITH OUR INTERACTIVE RECORDINGS

CONSUMER LAW 2024: NAVIGATING REFORMS AND GLOBAL TRENDS

RECORDED IN MARCH 2024 \$160 OND243N49Z1

Chair, **Bronwyn Furse**, Partner, Thomson Geer; Best Lawyer, Intellectual Property, *Best Lawyers* 2019-2023

- Identifying crucial areas of concern for Australian corporations in 2024
- Actionable insights and strategies to stay compliant and competitive
- International trends and practical examples

Presented by **Melissa Fraser**, Partner, Ashurst; Who's Who Legal Future Leader, Competition; Best Lawyers, Sydney – Competition Law; Legal 500 Next Generation Partner, Competition and Trade

Attend and earn 1 CPD unit in Substantive Law

GREENWASHING IN CONSUMER LAW: ENSURING COMPLIANCE AND ETHICAL MARKETING

RECORDED IN MARCH 2024 \$160 OND243N49Z3

Chair **Bronwyn Furse**, Partner, Thomson Geer; Best Lawyer, Intellectual Property, *Best Lawyers* 2019-2023

- Emerging trends in green marketing and consumer awareness
- Compliance strategies for mitigating business risks
- Maintaining ethical and legally compliant marketing practices
- Remedies for consumers

Presented by **Nick Christiansen**, Partner, Sparke Helmore Lawyers

Attend and earn 1 CPD unit in Substantive Law

DISPUTE RESOLUTION & LITIGATION

CIVIL LITIGATOR'S TOOLKIT: PREPARING FOR TRIAL, SETTLEMENT & ADR MEDIATION

RECORDED IN AUGUST 2024 \$505 OND248N02

Chair: **Greg Smart**, Partner, Wallace & Wallace Lawyers; Accredited Specialists in Commercial Litigation; Member of the Queensland law Society Commercial Litigation Specialist Accreditation Advisory Committee

Professional Skills

A Guide to Preparing for Trial

- Establishing a plan and a strategy
- Planning witness testimony
- Lay and expert witnesses, timing and rules of evidence
- Preparing and getting the best out of your witnesses
- Pre-trial evidence exchanges vs at trial evidence
- Getting your notices right
- Notices to admit facts and documents
- Notices to produce and subpoenas for production
- Preparing opening submissions

Presented by **Cameron Hanson**, Partner, Herbert Smith Freehills; Recommended Commercial Litigation & Dispute Resolution Lawyer, *Doyle's Guide* 2024

Professional Skills

Settlement Offers and Without Prejudice Communications: Getting the Best Deal for Your Client

- Rules relating to 'without prejudice' privilege and Evidence Act protections
- Admissibility issues
- Potential pitfalls: when 'without prejudice' privilege can be lost
- Calderbank offers and formal offers pursuant to the Rules
- Maximising your client's prospects of a meaningful costs order
- Latest judicial guidance

Presented by **Stacy Miller**, Partner, Cronin Miller; Recommended Commercial Litigation & Dispute Resolution Lawyers, *Doyle's Guide* 2023

Professional Skills

Alternative Dispute Resolution: Dealing with Mediators

- Providing the mediator with sufficient evidentiary material and court documents to be concisely appraised of the issues in dispute
- Remember that the function of the mediator is not to make decisions: the mediator needs to know the questions which will arise in reaching a resolution (not all the answers)
- Consider what, if any, material will be provided confidentially either in the written material or in private session
- Provide concise position papers spelling out a desired outcome and is not simply an attack on the other side
- Remember that the primary function of the mediation is to get a case resolved and it's not the forum for running the trial

Presented by **Hugh Stowe**, Barrister, 5 Wentworth Chambers

Professional Skills

Drafting Effective Settlement Agreements: Components and Structure

- The essential elements of a bulletproof settlement agreement
- Documenting with clarity & certainty: the agreement, the terms & parties' rights and obligations
- Timing issues and strategic considerations
- Form of agreement: Deed or covenant not to sue?
- Key clauses: the important considerations for each & drafting tips
- Enforcement: how to avoid an agreement being set aside

Presented by **Mark Martin KC**, Level 10 Inns of Court

Attend and earn 4 CPD units in Professional Skills

THE CIVIL LITIGATOR'S TOOLKIT: PLEADINGS, AFFIDAVITS & EXPERTS

RECORDED IN JUNE 2024 \$505 OND246N14

Chair: **Professor Stephen Owen-Conway**, Sir Lawrence Jackson Chambers

Professional Skills

Drafting Effective Pleadings: An Advanced Tutorial

- Key differences between pleadings rules across State and Federal jurisdictions
- The distinction between material facts and particulars, by reference to examples
- Making proper requests for particulars
- Avoiding deemed admissions in pleadings
- Applying to withdraw admissions made in pleadings
- Dealing with a defective pleading: To strike out or not?
- Pleading and particularising allegations of agency
- Some examples of defective pleadings, and how to avoid these problems

Presented by **Jane Muir**, Barrister, Gerard Brennan Chambers

Professional Skills

Preparing Affidavits and Witness Statements for Use at Trial

- Ascertaining
 - The issues in the action
 - The relevant rules for the court
 - The format required
- Using background and documents
- Checking ethical responsibilities
- Drafting recommendations
- Tips for speaking to a witness close to the hearing

Presented by **Craig Slater**, Barrister, Francis Burt Chambers

Professional Skills

A Guide to Working with Experts: Advanced Practical Tips

- Context: the role of expert evidence
 - The objects and duty of the expert witness
 - Procedural refresher
- Exploration of practical issues including
 - Deciding whether you need an expert
 - The lawyer's role in the preparation of expert reports
 - Expert reports and privilege
 - What counts as an 'expert report'?
 - Withholding disclosure where fraud is suspected

Presented by **Nola Pearce**, Barrister, Chambers 33

Attend and earn 4 CPD units in Professional Skills

SAME JOB, SAME PAY – WHAT WE KNOW SO FAR



TUESDAY, 19 NOVEMBER 2024
1.00PM – 2.00PM AEDT

\$160
WEB2411N25

The "same job, same pay" amendments to the Fair Work Legislation come into effect on 1 November 2024 although the FWC has already been hearing applications and issuing decisions. Hear from the solicitor who acted for one of the parties in the first application to understand the rulings that the FWC has handed down to date and the likely impacts these have going forward on employers with enterprise bargaining agreements and labour hire staff.

- ✓ Consider the recent decisions of the full bench of the Fair Work Commission with respect to regulated labour hire arrangement orders and identify the issues that will be relevant for future applications.
- ✓ Ensure that you are aware of the significant potential ramifications and risks for employers in labour hire agreements where there is an enterprise agreement or different benefits under those agreements.

Presented by **James Hall**, Partner, Ashurst

About your presenter

James Hall, Partner, Ashurst

James has extensive experience in working with clients to provide strategic legal advice on a range of matters concerning employment, discrimination, industrial relations and workplace health and safety. James advises clients across a range of sectors and routinely provides advice and assistance to Commonwealth, State and Local Government entities, as well as some of Australia's largest corporations including BHP, Anglo American and Glencore. In the area of occupational health and safety, James represents clients under investigation by statutory authorities or subject to prosecution or coronial proceedings.

**AMENDMENTS FROM
1 NOVEMBER 2024**

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law

CRITICAL INSIGHTS INTO CONTAMINATED LAND: MITIGATING RISKS, REMEDIATION SECRETS AND LEGISLATIVE REFORM



TUESDAY, 26 NOVEMBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2411N21

Imagine navigating a case involving land contamination and facing complex regulatory hurdles. No matter if you are an environmental and planning lawyer or a property or construction lawyer, you will be equipped with crucial insights on managing contamination risks, remediation strategies, and the latest regulatory updates. Enhance your expertise with practical advice to effectively handle contamination issues and confidently guide your clients.

Chair: **Alice Spizzo**, Director, Alice Spizzo Advisory

Managing Contamination in Property Transactions

- What is contamination?
- Examining liability
- Contamination risks when acquiring land eg planning issues, redevelopment, remediation, liability
- Common tools to deal with risks, undertaking due diligence and site audit process

Presented by **Breellen Warry**, Partner, Maddocks

Professional Skills

Land Contamination Risk, Remediation and Fundamentals

- Industry and contaminants to be aware of
- When is remediation required?
- Remediation hierarchy and cost benefit analyses
- Can you risk away contamination?
- Waste Classification - It's important to get it right
- Challenges to purchasing and exiting a contaminated site
- Site assessment and remediation case studies

Presented by **Dean Stafford**, Principal Environmental Scientist, Reditus Consulting

Development Consent and Environmental Licencing Requirements for Contaminated Land Remediation Works

- Overview of legislative framework
- Overview of roles of EPA, consent authorities, contaminated land consultants and site auditors
- How is potential and actual land contamination considered by a consent authority in the development application process?
- What types of remediation works can be carried out with and without development consent?
- What obligations apply for works that can be carried out without consent?
- What conditions are commonly imposed under a development consent for remediation works?
- When is an environmental licence required to carry out remediation works?

Presented by **Jennifer Hughes**, Partner, Beatty Hughes & Associates

Land Contamination in NSW: Updates and Considerations for Land Users

- Overview of legislation
- Changes introduced by *Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Act 2024* which came into force in April 2024
- Notices under the *Protection of the Environment Operations Act 1997* including clean up notices, prevention notices, prohibition notices, and the new preliminary investigation notices and recall notices
- Case studies and recent updates

Presented by **Jessica Baldwin**, Senior Associate, Hunt and Hunt Lawyers

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Substantive Law
1 CPD unit in Professional skills

ENVIRONMENT AND PLANNING LEGISLATIVE REFORMS AND LAND USE CONFLICT CLAIMS IN WA



WEDNESDAY, 13 NOVEMBER 2024
2.00PM TO 5.15PM AWST

\$420
2411W04

New environmental and planning regulation is on its way. Gain a comprehensive understanding of the implications of the amendments to the EPA (Cth), the WA environmental approvals process and the Planning and Development Amendment Bill. Uncover strategies for managing land use conflicts including urban development needs and applications, pollution impacts, industrial licences and the environmental law claims that might arise out of these land use conflicts.

Chair: **Adam Sharpe**, Barrister, Francis Burt Chambers

Changes to Environmental Law and the Effect on Western Australian Industry

- Changes to environmental law and policy in Western Australian such as the Western Australian environmental approvals process
- *Environment Protection and Biodiversity Conservation Act 1999 (Cth)* reform and the Nature Positive Plan changes at the Commonwealth level
- The effects these changes will likely have on industry and future industry projects in Western Australia

Presented by **Madelaine Cannell-Lunn**, Associate Solicitor, Hetherington

The Planning and Development Amendment (Metropolitan Region Scheme) Bill 2024: Changes in Planning Law

- General overview of the changes proposed to be affected to the Metropolitan Region Scheme
- An analysis of some of the more significant changes proposed to be affected to the Metropolitan Region Scheme

Presented by **Martin Flint**, Director, Flint Legal; recognized as leading Planning and Environment Lawyer –Western Australia, *Doyle's Guide 2024*

Industrial Operations and Urban Development: Resolving Land Use Conflict

- Interplay between planning and environmental laws in significant projects
 - The use of planning conditions to address environmental issues
 - Industrial buffer policy
 - Environmental licence conditions of industrial operations
 - Urban expansion and the need for infill development
- Pollution control: the complexities of enforcement
 - The broad enforcement powers of the Department of Water and Environment Regulation
 - Community engagement by the regulator and the scope of legitimate investigation
 - Private law remedies: nuisance and negligence
 - Judicial review

Presented by **Glen McLeod**, Principal Director, McLeod Fisher & Hamdorf; recognised as leading Planning and Environment Lawyer –Western Australia, *Doyle's Guide 2024*

FAMILY LAW NEGOTIATION & MEDIATION SKILLS MASTERCLASS



THURSDAY, 28 NOVEMBER 2024
1.00PM TO 5.15PM AEDT

\$505
2411N26

High level Negotiation and Mediation skills are fundamental skill requirements for Family Lawyers. Explore essential strategies and skills required to effectively navigate FCFCOA conciliation conferences. Gain insights into meeting court expectations, managing challenging clients, and dealing with the demands of Registrars. Discover how to prepare for external mediation to achieve favorable outcomes and gain insights on the psychology of negotiation. Examine the benefits and drawbacks of child-inclusive mediation and receive practical advice from preeminent and leading family law mediators, complete with real-world examples.

Chair: **Belinda Crawford**, Director & Family Law Dispute Resolution Specialist, Separation Solutions

FCFCOA Conciliation Conference: When the Other Side, the Judicial Registrar and the Law Are Against You

- Strategies and skills to deal with
 - Impossible clients with unrealistic expectations
 - Tough opposition
 - Registrars whose job it is to pick apart your case
 - Case law and examples of how not to negotiate
- Court etiquette, negotiations styles and getting a good name for yourself amongst the profession/the Court

Presented by **Angelo Bistolardis**, Principal, Myra Aris & Co

Preparing for External Mediations: Strategies to Getting the Best Outcome

- Disclosure and valuation
- The Mediation Paper, what is in and what is out
- Who to appoint
- The process best suited to the dispute
- Pre-mediation conferences
- Costs disclosure
- Preparing the client and their expectations

Presented by **Bruce Tilley**, Principal, Tilley Mediation

Negotiation: Psychology Behind Successful Mediations

- The differences between litigated and mediated outcomes
- Crafting of position papers having regard to their effect on the other party and set the emotional scene for the mediation
- Understanding your opponent's case and the art of Plan B
- Maintaining emotional equilibrium and minimising reactivity (both for you and your client)

Presented by **Mark MacDiarmid**, Principal, Mark MacDiarmid Family Law Specialists & Mediator

Child Inclusive Mediation: Hearing the Voice of the Child

- What does the law have to say
- What is child inclusive mediation all about
- How is a child inclusive mediation conducted
- Are all matters suitable
- The pros and cons of child inclusive mediation

Presented by **Shelby Timmins**, Principal, Divorce Done Differently

ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Professional Skills

FAMILY LAW INTERDISCIPLINARY ISSUES: DEATH, TAX, TRUSTS, CRIME & BANKRUPTCY



WEDNESDAY, 13 NOVEMBER 2024
9.00AM TO 5.15PM AEDT

\$795
2411V04

Gain strategies for numerous other areas of law besides family law affecting your family law matters. Navigate the concerns when you come upon discretionary trusts, the key tax considerations for family property settlements, navigating bankruptcy in family law and effective strategies for engaging with trustees. Understand how to manage procedural challenges when a party to proceedings dies? Navigate the cross over of immigration law in family violence and parenting matters, plus the impacts and intersection of criminal actions on family law proceedings including what family lawyers needs to know about running and defending a family violence intervention order.

SESSION 1: EXPLORING TAX, TRUSTS, BANKRUPTCY AND DEATH IN FAMILY LAW

9.00AM TO 1.15PM \$505 2411V04A

Chair: **Mark Parker**, Partner & Practice Group Leader, Family & Relationship Law, Lander & Rogers

Family Discretionary Trusts: What are They Good For!

- How to structure and how to deconstruct a family discretionary trust in family court proceedings: traps to guard against
- When will the assets of a discretionary trust be considered as matrimonial property for the purposes of a s79 Family Law Act adjustment
- How to structure a blood line trust to protect the assets against being included in the matrimonial pool
- The role of Appointor and Trustee in discretionary trust
- The discretionary trust as a financial resources and as matrimonial property
- Real life examples, case studies and recent cases

Presented by **Gregory Russo**, Principal, Greg Russo Law

Key Tax Considerations for Family Property Settlements

- Tax to be considered as part of a property settlement (including but not limited to Stamp Duty, Capital Gains tax)
- When does roll over relief apply?
- How can losses impact tax payable?
- What special exemptions may apply and when?
- Tax relating to superannuation
- How the court deals with unpaid tax liabilities
- How can child maintenance trusts be utilised in a settlement?

Presented by **Josh Chye**, Partner and Head of Tax Consulting, HLB Mann Judd

Navigating Bankruptcy in Family Law: Effective Strategies for Engaging with Trustees and Managing Procedural Challenges

- Understanding the role of Trustees in Bankruptcy
 - Overview of a Trustee's responsibilities and powers
 - Interaction between family law and bankruptcy law
 - Importance of early identification of bankruptcy issues in family law cases
- Impact of bankruptcy on family law proceedings
 - How bankruptcy affects property settlements and maintenance orders
 - How timing can affect outcomes
 - Should you wait for the Bankruptcy to be resolved
 - Does the non-bankrupt spouse need to negotiate alteration of property interest with the Trustee?
- Procedural considerations in dealing with Trustees
 - Communication and negotiation strategies with trustees
 - When to join the Trustee in Bankruptcy
- Practical tips and best practices

Presented by **Alice Ruhe**, Managing Principal – Queensland, SMB Advisory

What Happens When a Party to Family Law Proceedings Dies?

- The continuation of proceedings after death
 - Who can be appointed under s79(8) or s90SM(8)
 - Wills, disputed wills, and intestacy
 - The impact on the conduct of proceedings
- Interim issues pending a grant of representation
- Practical tips and traps

Presented by **Lachlan Wraith**, Barrister, Foley's List

SESSION 2: MANAGING CRIME & VIOLENCE IN FAMILY LAW: AN INTERDISCIPLINARY APPROACH

2.00PM TO 5.15PM \$420 2411V04B

Chair: **Monica Blizzard**, Director, KHQ Lawyers; Accredited Family Law Specialist

Managing the Cross Over of Immigration in Family Violence and Parenting Matters

- The impact of interim and final family violence orders on visa applicants and sponsors
- Character requirements relating to visas and family violence
- Victims of family violence and visa requirements / visa types covered by family violence provisions
- Parenting orders and consent for children to travel / live in Australia
- Offshore family law disputes and impact it can have on applications in Australia

Presented by **Carina Ford**, Managing Partner, Carina Ford Immigration Lawyers

The Impacts and Intersection of Criminal Actions on Family Law Proceedings

- A case study on the intersection of crime, intervention orders and parenting
- What can and can't be controlled
- Plea of guilty or not guilty, what are the impacts
- Consent without admissions or findings of fact?
- What takes primacy?
- Strategies to consider: when to fight or concede and common mistakes

Presented by **Simon Kelly**, Barrister, Holmes List

Professional Skills

Psychology of Abuse: Recognising Coercive Control and Other Abusive Behaviour

- What are the core features of coercive control vs other forms of abuse and violence including systems abuse
- Legal context for coercive control and family violence in Australia
- Combined risk factors: genetics and environment
- Psychopathology of abuse: Covert and Grandiose Narcissistic Personality Disorder, Antisocial Personality Disorder, Sociopath vs Psychopath
- Environmental risk factors
- Victim blaming and gaslighting
- Perpetuating the abuse

Presented by **Amanda Goldstein**, General Manager Clinical Services, Relationships Australia Victoria; Psychologist

Professional Skills

What Family Lawyers Need to Know about Running/Defending a Family Violence Intervention Order

- What is the test to be satisfied?
- Drafting effective further and better particulars
- Preparing an effective response
- Can telephone recordings be adduced as evidence?
- Effect of orders in family law proceedings

Presented by **James McIntyre**, Barrister, Svenson Barristers

ATTEND AND EARN

5.5 CPD units in Substantive Law
1.5 CPD units in Professional Skills

7 CPD UNITS



CLAIM ALL YOUR CPD UNITS NOW WITH OUR INTERACTIVE RECORDINGS

FAMILY LAW INTERIM HEARINGS

RECORDED IN NOVEMBER 2023 \$420 OND2311N121

Chair: **Sheridan Emerson**, Partner, Pearson Emerson; Accredited Specialist in Family Law; Preeminent Family & Divorce Lawyer, *Doyle's Guide 2023*

How to Prepare Evidence and Deal with Disclosure for an Interim Hearing

- Identifying the real issues and narrowing what is in dispute
- Drafting and marshalling supporting evidence
 - Client's affidavit
 - Things that come back to bite: the importance of interim affidavits in relation to the final hearing
 - Subpoena and other evidence
- *What Rules of Evidence* apply at the interim hearing on Financial issues
 - Admissibility of material
- Dealing with the other side's failure to provide proper disclosure
 - What are the remedies?

Presented by **Sarah Bevan**, Principal, Sarah Bevan Family Lawyers; Accredited Specialist in Family Law

Running an Interim Hearing: Tips and Traps

- Relevant rules and practice directions
 - The importance of a case theory
 - Ensuring you have the evidence you need
 - Drafting a persuasive case outline
 - Preparation
 - Persuasive advocacy
 - Risk assessment in interim proceedings – key relevant cases
- Presented by **Craig Brickwood**, Barrister, Waratah Chambers; former Partner, Pearson Emerson; Family Law Rising Star, New South Wales, *Doyle's Guide 2022*

Insights from a Senior Judicial Registrar - Tips and Traps

- Presented by **Senior Judicial Registrar Sharney Jenkinson**, Federal Circuit and Family Court of Australia

Attend and earn 3 CPD units in Professional Skills

FAMILY LAW EVIDENCE: USE & ADMISSIBILITY OF SENSITIVE & ILLEGALLY OBTAINED MATERIAL

RECORDED IN SEPTEMBER 2024 \$505 OND249N20

Chair: **Stephen Wright SC**, Barrister, Francis Burt Chambers; Leading Native Title Barrister, *Doyle's Guide 2024*

Chair: **Claire O'Connor SC**, Barrister, Villeneuve Smith Chambers

Admissibility of Sensitive Material

- What material is deemed sensitive?
 - Admissibility of evidence deemed sensitive
 - Discretion
 - Discovery and Harman Obligations
 - Amendments s121 *Family Law Act*
 - Recent cases
- Presented by **Adam Cooper**, Principal, Cooper Family Law; Author "Domestic Violence" chapter, Queensland Law Handbook

Recordings, S138 Evidence Act and Surveillance Laws

- S138 of the *Evidence Act* and discretion
 - Applications to remove material
 - Criminal, telecommunications, and surveillance offences: comparison of Commonwealth and State legislation
 - Protecting clients from surveillance from the other party
- Presented by **Michelle Meares**, Barrister, 2 Selborne Chambers

Evidence of Family Violence and Other Forms of Abuse: Admissibility and Reliability

- Recent cases
 - Division 12A and admissibility vs reliability of evidence
 - Challenging the expert's evidence
 - Has the evidence been corrupted?
 - How to challenge the report and the allegations made in the report
- Presented by **Caroline Counsel**, Managing Partner, Caroline Counsel Family Lawyers; Accredited Family Law Specialist; Chair of the Accredited Specialist Board Law Institute of Victoria

Ethics & Professional Responsibility

Ethical Issues: Obtaining Documents in Family Law

- Legal Profession Uniform Law Australian Solicitors Conduct Rules
 - Documents obtained 'innocently' by your client from the family home, including:
 - Privileged documents
 - Documents to which the other spouse has an obligation to disclose
 - Documents obtained from the other spouse's inbox and mobile phone
- Presented by **Daniel Kaufman**, Barrister, Holmes List Barristers

Attend and earn 4 CPD units including:

3 units in Substantive Law

1 unit in Ethics & Professional Responsibility

THE AGED CARE ACT, ELDER ABUSE & AGED CARE CONTRACTS



THURSDAY, 24 OCTOBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2410N11

Australia's aged care sector is on the brink of transformative change with the introduction of the *New Aged Care Act* which is expected to become effective on 1 July 2025. This sweeping reform will reshape the industry, making now the perfect time to gain critical insight into the *Act* and its implications for standards, compliance and best practice. Explore the significant changes affecting the interaction between retirement villages and aged care services under the new legislation. Address legal challenges related to supported decision making, elder abuse, powers of attorney, and the criminalisation of certain conduct. Receive a comprehensive understanding of key elements in aged care contracts, such as unfair contract terms, civil liability and penalties.

Chair: **Kim Boettcher**, Barrister, Frederick Jordan Chambers

What's Next: [Anticipatory] Regulatory Changes and Compliance

Subject to parliamentary processes, the new *Aged Care Act* will commence from 1 July 2025. An exposure draft of the *New Aged Care Act* was released in December 2023, with a consultation period of between 14 December 2023 to 8 March 2024. Examine the exposure draft and any updates to the proposed regulatory changes.

- Recent and upcoming regulatory updates impacting the aged care sector
- Best practices for maintaining compliance with evolving regulations
- Implications of new standards and policy changes

Presented by **Alison Choy Flannigan**, Partner, Hall & Wilcox

Navigating Supported Decision Making and Sector Reforms and Challenges in Aged Care

- Chapter 1 of the Bill: Challenges to client decision making
- Supporters and representative: How does this fit with State Based representative appointments: The good, the bad and the ugly
- Volunteers: aged care as a new workplace with new occupational risks
- The big stick, is this appropriate
- Digital platforms, is this the carrot and the Aged Care providers the stick? The hidden cast of case management and support co-ordination

Presented by **Michael Perkins**, Special Counsel, Southern Watters, and **Amber Geake**, Solicitor, Southern Watters

Handling Elder Abuse and Family Dynamics: A Legal Perspective

- Dilemmas from the lawyer's coalface
- The role and challenges of powers of attorney
- Criminalisation of conduct
- Dos and don't

Presented by **Athena Tourik**, Solicitor, Athena Tourik Solicitors

What Should an Aged Care Contract Contain?

- The need to have access to a contract for services at the commencement of moving into aged care
- Unfair contract terms
- Penalties and civil action
- Rising insurance costs and legal risks

Presented by **Rodney Lewis AM**, Senior Solicitor, Elderlaw Legal Services

Understanding the Interaction and Differences Between Retirement Villages and Aged Care under the New Aged Care Act

- Understanding how aged care contracts will function within retirement villages under the new Act
- Key elements and best practices for drafting and managing these contracts
- Aged Care Agreements vs. Village Contracts
- Navigating the compliance landscape to ensure adherence to both sets of regulations

Presented by **Arthur Koumoukelis**, Partner, Thomson Geer

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

CANNABIS: NAVIGATING THE CURRENT HEALTH LAW REGULATION AND REFORM AGENDA



FRIDAY, 1 NOVEMBER 2024
9.00AM TO 12.15PM AEDT

\$420
WEB2411N04

Gain a deep understanding of the current health law landscape and the reforms to regulate vaping cannabis, the regulatory position of medicinal cannabis and the advertising and promotion regulations for cannabis products.

Chair: **Angela Cooney**, Consultant Principal, Taylor Rose; Accredited Criminal Law Specialist

Reforms to Regulate Vaping Cannabis

- Regulation of medicinal vapes and legislative reform
- Importation
- Prescription requirements
- Retailing vapes
- Advertising and promotion

Presented by **Alison Choy Flannigan**, Partner at Hall & Wilcox; recognised as preeminent Health and Aged Care Lawyer – NSW, *Doyle's Guide 2024*

Regulatory Overview of Medicinal Cannabis in Australia

- The current regulatory regime for patients accessing medicinal cannabis
- State/Territories survey of regulation

Presented by **Greg Barns SC**, Barrister, Salamanca Chambers

Advertising and Promotion Regulations for Cannabis Products

- The type of information about medicinal cannabis that is likely to be considered advertising
- The type of information about medicinal cannabis that is unlikely to be considered advertising
- Activities that are exempt from the advertising restrictions
- Advertising compliance and enforcement

Presented by **Dr Teresa Nicoletti**, Partner, Mills Oakley



ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

LEGAL ALERT! INSTITUTIONAL ABUSE - NEW CASE LAW



WEDNESDAY 16 OCTOBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2410N02

With the High Court and superior courts in the various states handing down important decisions in recent months, this timely webinar will bring you up to date with significant developments in the law relating to applications for stay of proceedings, vicarious liability and the notion of non-delegable duty of religious institutions and when you can set aside past deeds.

Chair: **Danielle De Paoli**, Special Counsel, State Team Leader, Maurice Blackburn Lawyers; Accredited Specialist in Personal Injury Law

Bird v DP: The High Court of Australia's Latest Word on Vicarious Liability and Non-Delegable Duties

Albert Dinelli KC and Alex James-Martin appeared, with Bret Walker SC, for the appellant in the High Court of Australia and discuss:

- What relationships give rise to vicarious liability? Does vicarious liability extend to non-employees, and in what circumstances?
- What did the High Court of Australia say about international developments, particularly in the United Kingdom and Canada, on the principle?
- Do non-delegable duties extend to intentional torts?

Presented by **Dr Albert Dinelli KC**, List A Barristers and **Alex James-Martin**, Barrister, List G Barristers

EXV v Uniting Church in Australia Property Trust [2024] NSWSC 490

- Summary of factual matrix
- Summary of judgment at first instance
- Critique of the judgment and appeal points available to the plaintiff
- Why EXV will be distinguishable in most circumstances

Presented by **Greg Choat**, Special Counsel, Koffels

Ethics and Professional Conduct

How Safe is Your Practice as a Lawyer Running Abuse Law Cases?

- Who is exposed?
- Why are abuse cases different to other personal injury cases?
- What to do if you want to do abuse work

Presented by **David Seeman**, Barrister, Lennon's List

Update on Stay of Proceedings

- What does the 'new world' look like, since GLJ?
- What can we glean from the High Court of Australia's hearings in *Willmot v State of Queensland* and *RC v The Salvation Army*
- How have courts interpreted GLJ since it was handed down?

Presented by **Luke Geary**, Partner, Mills Oakley

“Detailed expert advice on the emerging area of law”

“One of the most practical and helpful webinars I have ever watched on Abuse Law”

PERSONAL INJURY ANNUAL ROUNDUP



TUESDAY, 12 NOVEMBER 2024
2.00PM TO 5.15PM AEDT

\$420
WEB2411V02

Finish off the year with a review of the changes to the Workplace Injury Rehabilitation and Compensation Act 2013 (VIC) followed by an analysis of emerging claims covering occupational disease and unusual vehicles such as electric bikes, scooters, go carts and forklifts.

Chair: **Michael Lombard**, Principal, Lombard Mediation

Changes to the Workplace Injury Rehabilitation and Compensation Act 2013 (VIC): How are They Working?

- Changes to the Workcover scheme
- Eligibility of psychiatric injuries
- New test for 130 week termination of weekly payments
- Impact on injured workers

Presented by **Sach Fernando**, Principal Lawyer, Maxiom Injury Lawyers; Accredited Specialist in Personal Injury Law; Leading Work Injury Compensation Lawyers (Plaintiff), *Doyles Guide*, 2023

TAC Claims for Different Vehicles: Bicycles and Scooters, Quad Bikes, Car and Bus Doors, Forklifts, Excavators and More

- The definitions of "motor vehicle" and "transport accident", and recent court decisions
- The big issue with 'cross-over' claims where compensation is under the WorkCover scheme but serious injury/damages is under the TAC scheme

Presented by **Bruce Anderson**, Barrister, Lennon's List, Recommended Insurance & Personal Injury Law Junior Counsel *Doyles Guide*, 2023

Occupational Disease Claims

- Evidence in occupational disease cases
- The "nature of employment" gateway
- Emerging diseases (silica, welding and skin cancer)

Presented by **Andrew Dimsey**, Barrister, Dever's List; Preeminent Insurance & Personal Injury Law Junior Counsel *Doyles Guide*, 2023

WORKERS COMPENSATION UPDATE

Occupational disease claims
TAC claims involving unusual vehicles

ATTEND AND EARN

4 CPD UNITS

3 CPD units in Substantive Law
1 CPD unit in Ethics & Professional Responsibility

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3 CPD UNITS

3 CPD units in Substantive Law

WORKERS COMPENSATION AND MOTOR ACCIDENT CLAIMS UPDATE



THURSDAY, 14 NOVEMBER 2024
9.00AM TO 5.15PM AEDT

\$795
2411N11

This is your opportunity to finish 2024 with a roundup of Workers Compensation and Motor Accident law with a comprehensive consideration of significant changes at the Personal Injury Commission and an update from the Independent Review Officer, as well as practice and procedure, legislation and case law updates. Hear directly from the Personal Injury Commission and the Independent Review Officer. All in one day.

SESSION 1: WORKERS COMPENSATION END OF YEAR UPDATE

9.00AM TO 1.15PM \$505 2411N11A

Chair: **Will Murphy**, Partner, Bartier Perry; Accredited Specialist in Personal Injury Law; Recommended Workers Compensation Lawyers (Defendant), *Doyle's Guide*, 2022

500 Page Rule and Procedural Directions

- When to commence
- Why is the rule needed?
- Additional documents related to real issues in dispute
- Process for filing additional documents

Presented by **Glenn Capel**, Division Head, Workers Compensation Division, Personal Injury Commission

Reconsideration Power Under Section 329

- Recent cases
- Medical Appeals

Presented by **John Harris**, Principal Member, Personal Injury Commission

Independent Review Officer Annual Update

- Trends and issues raised in IRO Complaints and ILARS Grant applications
- Significant case studies from IRO Complaints and ILARS grants
- IRO Inquiries; current areas of focus
- Priorities for 2025

Presented by **Jeffrey Gabriel**, Acting Independent Review Officer, Independent Review Office

"Lumpies": All You Need to Know About Section 66 Claims and Lump Sum Death Benefits

- The big three: 11%, 15%, 21%
- Top up claims and threshold disputes: can you really only have one bite of the cherry?
- Apportionment of death benefit claims
- Where does the money go when there are no dependants?

Presented by **Jodie Magee**, Barrister, Sir Anthony Mason Chambers

Work Injury Damages: Updates on Case Law

- Update on case law and trends in work injury damages claims
- Managing multi-party claims from a plaintiff and defendant's perspective

Presented by **Amanda Bond**, Partner, Gillis Delayney Lawyers; Accredited Specialist in Personal Injury Law; Recommended Workers Compensation Lawyers (Defendant), *Doyle's Guide*, 2023

SESSION 2: MOTOR ACCIDENT END OF YEAR UPDATE

2.00PM TO 5.15PM \$420 2411N11B

Chair: **Paul Macken**, Partner, Leigh Virtue & Associates; Accredited Specialist in Personal Injury Law

Procedural Update for Motor Accident Claims

Overview of changes to procedural directions including details of the upcoming rule changes

Presented by **Marie Johns**, Division Head, Motor Accidents Division, Personal Injury Commission NSW

Threshold Injury: Review of Recent and Significant Cases

It's an issue which potentially affects every CTP claim so what is the Personal Injury Commission saying about threshold injury?

Presented by **Peter Hunt**, Principal, McCabes; Accredited Specialist in Personal Injury Law, Preeminent Compulsory Third Party Insurance Lawyers (Defendant) *Doyle's Guide*, 2023

Recent Significant Developments in Motor Accident Claims

- Pre-existing whole person impairment and motor accident claims
- Motor accidents involving public transport

Presented by **Tim Concannon**, Partner, Carroll & O'Dea Lawyers; Accredited Specialist in Personal Injury Law, Recommended Motor Vehicle Accident Compensation Lawyers (Plaintiff) and Preeminent Work Injury Compensation Lawyers (Plaintiff), *Doyle's Guide*, 2023

Judicial Review of Personal Injury Commission Determinations: Recent Cases and Takeaways

- Recent decisions under the *Motor Accidents Injuries Act 2017* and the *Motor Accidents Compensation Act 1999*
- The latest authorities on judicial review of PIC Members' and Merit Reviewers' decisions
- Practical guide to judicial review proceeding

Presented by **Matthew Jones**, Barrister and **Jack Isackson**, Barrister, Jack Shand Chambers

“ As usual, brilliant! ”

“ Wonderful experience. Great range of topics and speakers ”

PERSONAL INJURY END OF YEAR ROUNDUP: CASE UPDATES, DAMAGES AND APPEALS



WEDNESDAY, 13 NOVEMBER 2024
2.00PM TO 5.15PM AWST

\$420
2411W03

Finish 2024 with a roundup of recent decisions on public liability, workers compensation appeals and a review of recent assessment of damages cases together including an expert analysis of effective presentation of workers' compensation appeals.

Chair: **Brian Nugawela**, Barrister, Michael Kirby Chambers

Personal Injury Case Law Update: Year in Review

- Liability decisions in public liability, workers' compensation and motor vehicle accident claims
- Costs applications
- Criminal Injuries Compensation decisions and appeals
- Limitation date arguments

Presented by **Michelle Antunovich**, Director, Trewin Norman & Co, Leading Work Injury Compensation and Motor Vehicle Accident Lawyer (Plaintiff), *Doyle's Guide 2023*

Review of Recent Decisions Regarding Assessment of Damages

- Overview of significant assessments
- Assessing employment capacity and the onus
- Causation and conflicts of medical opinion in psychiatric injury
- Thoughts for the future

Presented by **Hayley Cormann**, Barrister, Quayside Chambers

Workers' Compensation Appeals: Effective Presentation and Recent Decisions

- Preliminary considerations before commencing an appeal
- Drafting an appeal notice
- Implications of the *Workers' Compensation and Injury Management Act 2023 (WA)*
- Effective presentation key points
- The implications of recent appeal decisions

Presented by **Neil Morrissey**, Barrister, Central Law Chambers

**PUBLIC LIABILITY
WORKERS COMPENSATION
MOTOR VEHICLE ACCIDENTS
ASSESSMENT OF DAMAGES**

INTENTIONAL TORTS: UPDATE ON LIABILITY, DEFENCES AND ASSESSMENT OF DAMAGES



TUESDAY, 19 NOVEMBER 2024
2.00PM TO 5.15PM AEDT

\$420
WEB2411N12

With many high-profile cases being decided in recent years covering false imprisonment, malicious prosecution, abuse of process and misfeasance in public office, be guided through the recent cases, trends, defences and damages in the law of intentional torts including false imprisonment, assault and battery, malicious prosecution and wrongful arrest. This is your opportunity to be updated on recent cases and trends, the different defences that can be made and an overview of decisions regarding quantifying damages.

Chair: **Alice Robinson**, Director and Principal Lawyer, Polaris Lawyers

Recent Cases and Trends in Intentional Torts

A review and analysis of recent developments in case law concerning false imprisonment, assault and battery, malicious prosecution and wrongful arrest, with some practical applications to common client stories.

Presented by **Jeremy King**, Practice Group Leader – Injury Law and Police Misconduct/Principal Robinson Gill; Accredited Specialist in Personal Injury Law, Leading Work Injury Compensation Lawyers (Plaintiff), *Doyle's Guide, 2023* and **Estelle Petrie**, Senior Associate, Robinson Gill

Mounting a Successful Defence

- Unlawful detention/arrest
- Lawful justification - reasonable grounds/suspicion for arrest, detention for searches and powers conferred by warrant
- Self-defence - a complete defence in statute and common law
- Breach of the peace
- Malicious prosecution; Buffoonery/Incompetence as a defence to malicious prosecution

Presented by **Alexander Ionita**, Barrister, Garfield Barwick Chambers

Intentional Torts and Assessment of Damages: Review of Decisions State by State

Overview of the relevant legislation and cases on damages including aggravated and exemplary damages in the different jurisdictions.

Panel includes:

Alexander Ionita, Barrister, Garfield Barwick Chambers

Gabriel Chipkin, Barrister, Parnell's Barristers

Verity Smith, Senior Associate, McInnes Wilson, Rising Star Injury & Compensation Law, *Doyle's Guide 2022*



ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

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NEW COSTS REGIME: LEGAL ALERT!



THURSDAY, 21 NOVEMBER 2024
12.30PM TO 2.00PM AEDT

\$230
WEB2411V08

By October, the Rules Committee will have determined the finer details of the new costs regime that comes into effect on 1 January 2025. This webinar is your opportunity to get your head around the nuts and bolts of the changes and make sure that you and your practice complies with the new costing rules.

Chair: **Lucy Dawson**, Barrister, Green's List

✔ Professional Skills or Practice Management and Business Skills

A New Era for Legal Costs Commencing 1 January 2025

- The new scale of costs for recovery of party/party costs
- Improving your billing and description of work undertaken
- Improving your billing review process
- Ensuring flawless costs agreement and costs disclosure to maximise costs recovery
- Managing counsel's costs

Presented by **Antonella Terranova**, Principal, Castra Legal Costing; President, Northern Suburbs Law Association Inc., Chair, Costs Law Executive Committee, Member, Advisory Service Panel (LIV)

About your Presenters

Lucy Dawson

Lucy has a busy practice in general commercial law, and amongst others is a leading junior in the costs space. She is frequently briefed to assist with litigation arising in connection with costs disputes, the flavour of which is broad and includes issues of statutory construction, the LPUL, professional negligence, debt claims, limitations periods and the quagmire that was created by the High Court's decision in Bell Lawyers.

Antonella Terranova

Antonella Terranova has been in practice for 27 years. She became Principal and Director of Castra Legal Costing Pty Ltd in 2010. Antonella appears regularly in the Supreme Court and is also retained as an expert. Prior to her current role, Antonella worked in personal injury litigation. She has been a past winner of the Law Institute of Victoria (LIV) Suburban Lawyer of the Year Award and in 2021 was the recipient of the LIV Distinguished Service Award. Antonella delivers ongoing legal education, is a member of the LIV, the Chair of the Costs Law Executive Committee and Chaired various Committees for the Litigation Costs Review, involved in policy work for the LIV and is a Panel Solicitor for the LIV Member's Advisory Panel and has sat on the Judging Panel for the Suburban Lawyer of the Year Award. Additionally, Antonella has held the role of President of the Northern Suburbs Law Association Inc., since 2010 arranging bi-monthly CPD events, organised 3 international conferences, liaises with the LIV and promotes young lawyers and women to the profession.



MEDICAL NEGLIGENCE: CASE LAW, PROFESSIONAL DEFENCE AND ROBOTIC SURGERY



THURSDAY, 28 NOVEMBER 2024
9.00AM TO 1.15PM AEDT

\$505
WEB2411N22

Step into the world of cutting-edge medical law and tackle the hottest medical negligence issues. Explore topics including when a health practitioner's behaviour constitutes professional misconduct, the impact of the Dean v Pope case on negligence claims and the latest updates in cosmetic surgery practices. Gain insight into the legal and ethical complexities surrounding AI and robotic-assisted medical practices, from data interpretation errors to liability in robotic surgeries.

Chair: **Marie-Clare Elder**, Partner, Specialty Lines, Sparke Helmore Lawyers

Recent Disciplinary Cases Involving Medical Practitioners

- When does a health practitioner's behaviour amount to professional misconduct?
- When poor performance or clinical mismanagement can amount to professional misconduct
- Some case examples from Tribunals

Presented by **Kate Evans**, National Manager, Professional Misconduct Unit, AHPRA

Clarifying the Competent Professional Practice Defence: The Law After Dean v Pope

- How does *Dean v Pope* effect the burden of proof in negligence cases
- Legal standards and benchmarks set by the Court for determining competent professional practice
- Implications of this case on future litigation and professional conduct

Presented by **Dr Ada Lim**, Barrister, 3 St James' Hall; Former Medical Practitioner

Cosmetic Surgery Updates

- A brief overview of cosmetic vs plastic surgery
- Understanding patient rights and doctor duties in cosmetic and plastic surgery
- Regulation of the cosmetic surgery industry
- Case studies

Presented by **Antonia Quinlivan**, Barrister, Greenway Chambers

Legal and Ethical Challenges in AI and Robotic-Assisted Medical Practices: Training, Liability, and Regulation

- Artificial intelligence (AI) and clinical decision support tools
 - Addressing the increased risk of misdiagnosis due to errors in data interpretation and medical diagnosis
 - The legal responsibility of institutions to provide adequate training on AI usage to prevent technological illiteracy and blind reliance
 - Examining the regulatory challenges in ensuring AI is used as a supportive tool rather than a crutch in medical practice
- Robotic/technology assisted surgery
 - Examine the legal challenges in attributing liability between human operators and technology in robotic-assisted surgeries
 - Address the ambiguity in liability when both medical professionals and technology contribute to adverse surgical outcomes
 - Highlight the need for legal precedents and regulatory frameworks to guide malpractice claims in robotic-assisted surgeries

Presented by **Louise Cantrill**, Partner, Insurance, Mills Oakley

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1.5 CPD UNITS

1.5 CPD units in Professional Skills or Practice Management and Business Skills

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4 CPD UNITS

4 CPD units in Substantive Law

INTELLECTUAL PROPERTY: INFRINGEMENT, ENFORCEMENT AND LITIGATION



WEDNESDAY, 13 NOVEMBER 2024
9.00AM TO 1.15PM AEDT

\$505
2411V03

Gain the strategies, current trends and practical solutions to intellectual property dispute concerns that are absolutely essential for your intellectual property and business law practice. Understand the current trends in IP enforcement and infringement issues surrounding copy-cat products, trademarks and designs. Analyse strategies for success in resolving your patent disputes and litigation plus unpack practical issues in search and seizure of evidence. Plus, gain an essential understanding of fair use and fair dealings.

Current Trends in IP Enforcement and Infringement Issues Surrounding Copy-Cat Dupe/Look-A-Like Consumer Products

- What are dupes (v. counterfeits)?
- Enforcing IP against copy-cat products:
 - IP avenues: trademarks, designs, copyright, patents.
 - Non-IP avenues: passing off and consumer law
- How are dupe/look-a-like companies navigating IP protection to avoid infringement?
 - Trends from recent cases in Australia and overseas
- Tips and future directions

Presented by **Colette Downie**, Senior Associate, Baker & McKenzie

Trademark Infringement and Enforcement: Recent Australian Case Studies

- Explore the evolving landscape of trademark law with an in-depth look at recent infringement case
- Analyse key legal reasonings, highlight effective enforcement strategies, and provide practical insights into protecting your clients' brands

Presented by **Dr Steven Stern**, Adjunct Professor, Victoria Law School, Victoria University

Patent Litigation and Dispute Resolution: Strategies for Success

- Preliminary injunctions
- Preliminary discovery
- Patent term extensions and challenges to PTE's
- Best method and its impact on litigation strategy
- Court's approach to case management in patent disputes
- Patent settlement considerations

Presented by **Rachelle Downie**, Special Counsel, Corrs Chambers Westgarth

Access to Documents and Information: Search and Seizure of Evidence

- Practical elements of executing a search and seizure
- Staying prepared for what can go wrong

Presented by **Peter Booth**, Barrister, Svenson Barristers and **Amelia-Rose Booth**, Lawyer, K&L Gates

Fair Use and Fair Dealing: Understanding Exceptions to Copyright

- The difference between fair use and fair dealing
- What is fair?
- Permitted purposes
- Who must have this purpose?
- Attempts at reform

Presented by **Margaret Ryan**, Lawyer and Trade Marks Attorney, IP by Margaret

ATTEND AND EARN

4 CPD UNITS

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ADVANCED WILL DRAFTING WORKSHOP



THURSDAY, 14 NOVEMBER 2024
9.00AM TO 1.15PM AEDT

\$505
2411V11

Take your Will drafting to the next level as you work through step-by-step guides for every stage of the Will drafting process with this practical, template-based workshop. Reinforce your existing Will drafting skills and gain new practical skills with sample clauses, practical case studies and case notes.

The workshop will provide:

- ✓ A solid foundation in Will drafting basics
- ✓ Step-by-step high-level guidance on complex Will drafting
- ✓ High level mentorship from recognised experts in the field
- ✓ In-depth strategies to elevate your drafting to the next level
- ✓ Sample clauses to implement what you learn and to incorporate into your drafting
- ✓ Practical case studies and case notes to demonstrate the concepts
- ✓ Guidance and precedent clauses

Examine a Variety of Testamentary Trusts

- Discretionary trusts
- Rights of residence
- Capital protected trusts
- Protective trusts
- Superannuation proceeds trusts and special disability trusts

Guidance on Bespoke Estate Planning Circumstances

- Gifts to particular beneficiaries: including pets, shares in companies, real estate
- Dealing with digital assets
- Succession of control of trusts and self-managed superannuation funds
- Non-estate assets and adjustments
- Overseas assets and estate administration

Additional Will Drafting Considerations

- Taking effective instructions and conducting client meetings
- Identifying and dealing with issues relating to testamentary capacity and undue influence
- Dealing with urgent wills - protocols and considerations
- Anticipating family provision claims
- Addressing family law issues – marriage, divorce, separation and Wills
- Balancing blended family considerations
- Accommodating the needs of vulnerable beneficiaries
- Anticipating and addressing taxation and valuation issues
- Co-ordinating the interplay of superannuation and estate administration

Facilitated by:

Greg Russo, Principal Solicitor, Greg Russo Law; Accredited Specialist in Wills and Estates; Chairperson of the LIV Specialist Accreditation Education Advisory Committee and LIV Wills & Estates Advisory Committee; recognised in *Doyle's Guide* in Victoria as a Leading Wills Estates and Litigation Lawyer and a Leading Wills, Estates and Succession Planning Lawyer

Rohani Bixler, Principal Solicitor, Olivetree Legal; Member of the LIV Succession Law Committee

Seth Howell, Principal Solicitor, Howell Legal

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FOOD REGULATION: CHALLENGES & OPPORTUNITIES FOR THE FUTURE



WEDNESDAY, 20 NOVEMBER 2024
9.00AM TO 5.15PM AEDT

\$795
2411N15

Don't miss the 7th Annual Food Law Conference! Join FSANZ, Dept of Agriculture, Fisheries and Forestry, NSW Primary Industries, and a line-up of top industry leaders as they tackle key issues in Australia's Food & Beverage industry. Topics include FSANZ approach to cell-cultured foods, GM regulations, sugar claims, Health Star ratings. When alternative proteins foods, plant or specialised fermentation are considered novel. Determining which food-medicine interface for a product and how regulators enforce compliance. What are the legislative requirements to manage food safety risks. Get latest advertising decisions, update on key IP issues, and sustainable packaging. Plus hear from a panel of leading industry experts as they discuss what they see as being the regulatory challenges of the future. Be part of the conversation shaping the future of food law!

SESSION 1: FSANZ, NOVEL FOODS, FOOD-MEDICINE INTERPLAY & FOOD SAFETY

9.00AM TO 1.15PM \$505 2411N15A

Chair: **Fiona Fleming**, Chief Executive Officer, Australian Institute of Food Science and Technology (AIFST)

Exploring the World of Food Standards: Key Insights and Trends

- Cell cultured foods
- GM food regulation
- Carbohydrate & sugar claims, & energy labelling on alcoholic beverages
- Health Star Rating (HSR) & review of the Nutrition Information Panel (NIP)
- Consumer insights

Presented by **Dr Matthew O'Mullane**, General Manager, Risk Management and Intelligence, FSANZ

Is it Novel or Not: Alternative Proteins, Plant and Specialised Fermentation

- Alternative proteins/Novel food
- Botanical and indigenous foods
- Case studies from the front line

Presented by **Glen Neal**, Partner, Agite Consulting

Food-Medicine (or even Cosmetics!) Interface: The First Question that Should be Asked in the NPD Process

Determining which regulatory pathway is best for a product needs to be done as soon as possible, as it impacts product pre-approvals, manufacturing, recipe, and marketing. Through case studies, we will explore:

- Whether effervescent tablets are an inherently 'therapeutic' form
- How Poisons Standard and ACNF listing can create risks for innovative healthy products
- When adaptogens and nootropics are clearly permitted in food products
- When hemp extracts can go in food
- How your marketing claims can re-classify your products

Presented by **Charles Fisher**, Principal Solicitor, KHQ Lawyers

CED, FSSF, Novel Foods and Health Claims?

- How regulators approach compliance?
- Recent examples addressing non-compliance
- Overriding principles you need to abide by
- Wilful blindness is not a defence

Presented by **Alan Edwards**, Snr Food Incident Response & Complaints Co-Ordinator Compliance and Integrity Systems, NSW Department of Primary Industries | Biosecurity & Food Safety

Managing Food Safety Risks Under the Imported Food Control Act

- DAFF's role in Australia's food regulatory system
- Managing risk and surveillance food
- Horizon scanning and incident response
- Compliance data

Presented by **Tania Martin**, Director, Imported Food, Department of Agriculture Fisheries and Forestry

SESSION 2: ADVERTISING, PRIVACY AND IP, PACKAGING AND FUTURE CHALLENGES

2.00PM TO 5.15PM \$420 2411N15B

Chair: **Clare Nass**, Senior Group Counsel, Asia Pacific, George Weston Foods Limited

Key Recent Decisions and Regulatory Pressures on Food and Beverage Advertising

Don't miss getting an update on recent decisions over the last six months that illustrate what not to do and some key things to avoid in your food and beverage advertising

Presented by **Megan McEwin**, Director of Policy & Regulatory Affairs, Australian Association of National Advertisers (AANA)

Food Law: Intellectual Property Issues and Other Hot Topics

- New product development, product get up and packaging
- Brands: latest cases
- Food recipes and manufacturing know how
- Marketing of food products and recap on recent cases
- Privacy, consumer law issues and other hot topics

Presented by **Alison Jones**, Special Counsel, Corrs Chambers Westgarth

New Packaging Sustainability Initiatives in Line with New Government Mandates

- The expected mandated National Packaging Design Standards: what to expect
- Making industry responsible for the packaging they place on the market
- Mandate packaging design
- Place bans on specific chemicals and other contaminants
- Latest packaging and design initiatives

Presented by **Keith Chessell**, AIP Education Team, Australian Institute of Packaging (AIP)

REGULATORY CHALLENGES OF THE FUTURE: A PANEL DISCUSSION

This session brings together industry experts and leaders to explore the evolving landscape of regulatory frameworks. Hear them delve into emerging challenges, innovative solutions, and the impacts on regulation. Don't miss this insightful discussion on navigating the complexities of future regulatory challenges for the food industry.

Panelists:

- Keith Chessell**, AIP Education Team, Australian Institute of Packaging (AIP)
- Jo Davey**, Director, Pirrama Consulting; FSANZ Board
- Fiona Fleming**, Chief Executive Officer, Australian Institute of Food Science and Technology (AIFST)
- Dr Mirjana Prica**, Chair & Managing Director, FIAL Food Innovation Australia
- Kim Tonnnet**, Head of Regulatory Affairs & Government Relations, All G Foods

Endorsed by:



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7 CPD UNITS



CLAIM ALL YOUR CPD UNITS NOW WITH OUR INTERACTIVE RECORDINGS

EFFECTIVE DUE DILIGENCE IN A SALE OF BUSINESS

RECORDED IN MARCH 2024 \$160 OND233N371

Chair: **Darren Pereira**, Partner, Holding Redlich**Professional Skills**

- Ensuring a business purchase is as promised: vendor warranties, personal inspection/trial periods, and due diligence
- What to ask for in due diligence: marketing material, assumptions list, and proposals
- Limiting the scope of the due diligence: relevance, 'otherwise covered' and materiality
- A guide to identifying material risks
- Who participates in due diligence and how to allocate tasks
- Controlling and managing the flow of information
- The due diligence report

Presented by **Selwyn Black**, Partner, Carroll & O'Dea Lawyers; Accredited Specialist in Business Law

Attend and earn 1 CPD unit in Professional Skills

VALUATION OF A BUSINESS: A DEEPER UNDERSTANDING

RECORDED IN MARCH 2024 \$160 OND233N376

Chair: **Tony Arena**, Managing Director, BCI Business Brokers**Professional Skills**

- Professional standards
- Are all valuations the same?
- Which valuation methodology?
- Selecting an earnings multiple
- What drives value?
- Valuation traps

Presented by **Alan Max**, Partner, Pitcher Partners; Business Valuation Specialist, Chartered Accountants Australia and New Zealand

Attend and earn 1 CPD unit in Professional Skills

LET'S AGREE TO AGREE: THE WHEN, WHY & HOW OF TERM SHEETS & HEADS OF AGREEMENT

RECORDED IN MARCH 2024 \$160 OND223N201

Chair: **Darren Pereira**, Partner, Holding Redlich; *Best Lawyers 2022*, Corporate Law

- When and why should you use a term sheet / heads of agreement?
- Practical, commercial and legal benefits of using a term sheet in a business sale transaction
- When are preliminary agreements binding?
- What are the key terms and threshold issues to consider?
- Red flags & tips for minimising risk

Presented by **William Kontaxis**, Special Counsel, Holding Redlich

Attend and earn 1 CPD unit in Substantive Law

NEGOTIATION SKILLS FOR LAWYERS TO ENSURE THE DEAL HAPPENS ON THE RIGHT TERMS

RECORDED IN MARCH 2024 \$160 OND223N202

Chair: **Darren Pereira**, Partner, Holding Redlich; *Best Lawyers 2022*, Corporate Law**Professional Skills**

- Different approaches and philosophies to negotiation
- Points to focus on in negotiations
- What we have seen work and not work
- Rules of thumb for more effective negotiation

Presented by **Malika Chandrasegaran**, Partner, Herbert Smith Freehills; *Best Lawyers 2022*, Corporate Law

Attend and earn 1 CPD unit in Professional Skills

COMPENSATION

RECORDED IN JUNE 2024 \$90 OND246W09B1

Native Title Compensation: A Survey of Recent and Ongoing MattersChair: **Stephen Wright SC**, Barrister, Francis Burt Chambers; Leading Native Title Barrister, *Doyle's Guide 2024*

- Gumatj compensation claim (Northern Territory)
- McArthur River compensation claim (Northern Territory)
- Yindjibarndi compensation claim (Western Australia)

Presented by **Justin Edwards**, Barrister, Francis Burt Chambers, *Doyle's Guide 2024*

Attend and earn 0.5 CPD units in Professional Skill

SETTLEMENT AGREEMENTS

RECORDED IN JUNE 2024 \$90 OND246W09B2

Native Title Compensation: A Survey of Recent and Ongoing MattersChair: **Stephen Wright SC**, Barrister, Francis Burt Chambers; Leading Native Title Barrister, *Doyle's Guide 2024***Professional Skills****Diverse Ways to Structure Agreements: Pros and Cons of Different Structures**

- Traditional models
- Recent trends
- Other jurisdictions
- Partnering models

Presented by **Marshall McKenna**, Partner, Gilbert + Tobin, *Doyle's Guide 2024*

Attend and earn 0.5 CPD units in Professional Skill

EMPOWERING INDIGENOUS PROSPERITY: CRAFTING INCLUSIVE RESOURCE AGREEMENTS

RECORDED IN JUNE 2024 \$90 OND246W09B3

Chair: **Stephen Wright SC**, Barrister, Francis Burt Chambers; Leading Native Title Barrister, *Doyle's Guide 2024***Professional Skills**

- Customised agreement-making: tailoring processes to indigenous community circumstances and aspirations
- Collaborative decision-making: fostering a culturally sensitive approach for meaningful Indigenous involvement
- Capacity-building investment: ensuring proponents invest in programs to empower indigenous community members
- Turning extraction wealth into prosperity: strategies for economic and social well-being for traditional owners

Presented by **Abbey Shillingford**, Manager Native Title and Strategy, Mineral Resources Limited

Attend and earn 0.5 CPD units in Professional Skill

TREATY AND NATIVE TITLE

RECORDED IN JUNE 2024 \$160 OND246W09B4

Chair: **Stephen Wright SC**, Barrister, Francis Burt Chambers; Leading Native Title Barrister, *Doyle's Guide 2024*

- Sovereignty and treaty
- Fiduciary duty, native title and treaty
- Canada: treaty, native title and fiduciary duty
- USA: treaty and domestic dependent nations
- New Zealand: treaty of Waitangi, Waitangi Tribunal, treaty claims
- Australian States:
 - Victoria: Treaty Authority
 - Queensland: First Nations Treaty Institute
 - South Australia: treaty process
 - Tasmania: treaty process recommendation
 - ACT: report on conversation about treaty process
 - Western Australia: Noongar South-West Settlement, Yamatji Nation ILUA

Presented by **Greg McIntyre SC**, Michael Kirby Chambers

Attend and earn 1 CPD unit in Substantive Law

GOVERNANCE, SAFETY AND PRIVACY CHALLENGES IN RELIGIOUS INSTITUTIONS



THURSDAY, 21 NOVEMBER 2024
9.00AM TO 5.15PM AEDT

\$795
2411N17

Explore the intricate landscape of governance, safety, and privacy within religious foundations. This enlightening session promises to arm you with the necessary insights and strategies to navigate these crucial areas, ensuring a secure, compliant, and ethical environment for your noble missions. Don't miss this pivotal opportunity to enhance your institution's integrity.

SESSION 1: NAVIGATING GOVERNANCE AND COMPLIANCE CHALLENGES IN RELIGIOUS INSTITUTIONS

9.00AM TO 1.15PM \$505 2411N17A

Chair: **Josephine Heesh**, Partner, Carroll & O'Dea Lawyers

Key Regulatory and Governance Challenges: Tax Exemptions, Board Dynamics and Asset Management

- Current ATO focus areas for religious institutions:
 - Fringe benefits tax exemptions for religious practitioners, especially BRCS and entities with complex structures
 - Refund of franking credits, ensuring eligibility requirements are met
 - Scrutiny of related party transactions
 - Determining correct DGR entitlement
- Shifts in board supervision of management
 - Board composition challenges
 - Balancing skills of board members with alignment to the organisation's religious/spiritual mission
- Bequests, property sales, and ministry changes:
 - Anticipating significant wealth transfers through bequests in the future
 - Caution about potential issues if gifts are made to charities that no longer exist or have changed
 - Challenges in repurposing assets from ministries that are ending
 - Requirements for court approval if property held on charitable trusts has unclear terms or disputes

Presented by **Vera Visevic**, Partner, Mills Oakley

Professional Skills

Board Member Induction: Aligning Education, Formation and Mission

- What needs to be done through a process of induction: how to educate potential board members in the institution's mission?
- The strategies that should be put in place for the ongoing formation of members to ensure their role aligns with the institution's mission
- The difference between training education and formation
- The theological issues relating to participation in the ministry and mission of a religious institution and expectations that flow from this

Presented by **Fr Brian Lucas**, National Director at Catholic Mission

Comparing Religious Charities: Purpose, Structure and Registration Challenges

- Basic religious charities compared to other religious charities
- Purpose, activities and structuring for maximum impact
- Challenges for religious institutions in registering as a public benevolent institution
- Overseas activities and the external conduct standards

Presented by **Elizabeth Lathlean**, Special Counsel, Gilbert+Tobin

Navigating the Shift: How Corporatisation Transforms Governance in Religious Institutions

- What's so special about the governance of religious bodies
- Religion and the law of trusts
- Where does the unincorporated association fit into the governance conversation

Presented by **Anne Robinson**, Consultant, Prolegis Lawyers

SESSION 2: NAVIGATING CHILD PROTECTION, EMPLOYMENT LAW AND DATA CHALLENGES IN RELIGIOUS INSTITUTIONS

2.00PM TO 5.15PM \$420 2411N17B

Chair: **Mark Fowler**, Principal, Fowler Charity Law Pty Limited

Child Protection and Safety Obligations

- What exactly is the legal duty in relation to child safety under the *Work Health and Safety Act (WHS Act)*
- What are some of the biggest risks facing child safety in a work health and safety context
- What are some of the things schools can do to ensure its approach to child safety under the WHS Act is compliant
- What happens if a reportable incident under the WHS Act occurs, involving a child, both in terms of investigation and individual exposures

Presented by **Patrick Barry**, Barrister, State Chambers

Upholding Safety Standards: Employment Law Reforms and Fair Work Decisions for Religious Institutions

- Understanding what the closing the loopholes reforms mean for religious institutions
- Review of recent Fair Work decisions and its relevance to religious institutions

Presented by **Adam Foster**, Partner, Colin Biggers & Paisley

Privacy and Cyber Safety in Religious Institutions

- Information landscape for religious institutions
- Overview of cybersecurity legislative landscape in Australia
- Snapshot of non-Australian cybersecurity laws
- Privacy legislation, specifically
 - Main APPs
 - Treatment of Sensitive information
 - Obligations to protect personal information and sensitive information
 - Cross-border disclosure
 - Notifiable Data Breach
 - Legislative reforms
- Director's duties with respect to cybersecurity
- Threat and opportunities with Generative Artificial Intelligence from a cybersecurity perspective
- Building a cybersecurity regulatory compliance framework through ICT governance and outsourcing

Presented by **Dalvin Chien**, Partner, Mills Oakley

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RELIGIOUS INSTITUTIONS
LAW CONFERENCE**

ATTEND AND EARN

6 units in Substantive Law
1 unit in Professional Skills

7 CPD UNITS

LEADERSHIP, BUSINESS SKILLS AND PRACTICE MANAGEMENT SERIES



THURSDAY, 24 & 31 OCTOBER 2024, THURSDAY, 7, 14 & 21 NOVEMBER 2024
1.00PM TO 2.00PM AEDT \$610
WEB2410N09

SESSION 1: A POSITIVE PSYCHOLOGY APPROACH FOR MANAGING PSYCHOSOCIAL RISK IN THE WORKPLACE

THURSDAY, 24 OCTOBER 2024 \$160
1.00PM TO 2.00PM (AEST) WEB2410N09A

Practice Management and Business Skills

- The impact of workplace psychosocial hazards and the legal duty to manage the risk
- The connection between workplace culture, psychosocial hazards and organisational success of your law firm
- How to incorporate positive psychology approaches into legal workplace practices to reduce risk and increase wellbeing

Presented by **Christa Ludlow**, Managing Director, Weir

SESSION 2: OPTIMISING YOUR FIRM'S DIGITAL MARKETING TO GENERATE A CONSISTENT STREAM OF NEW CLIENTS

THURSDAY, 31 OCTOBER 2024 \$160
1.00PM TO 2.00PM (AEST) WEB2410N09B

Practice Management and Business Skills

- Capitalising on some quick wins that many firms overlook
- Increasing your profile and firm's visibility
- Using new tools that enhance your firm's reputation
- Capturing new leads that are tailored specifically to your firm's services
- Putting the pieces in place to create a predictable client generation system

Presented by **Peter Chaly**, Founder & Managing Director, SMARTink

SESSION 3: WORKING OUT THE HYBRID EQUATION: HOW TO BUILD TRUST AND MANAGE OUTCOMES IN A HYBRID TEAM

THURSDAY, 7 NOVEMBER 2024 \$160
1.00PM TO 2.00PM (AEST) WEB2411N09C

Practice Management and Business Skills

- Exploring communication channels and protocols to ensure all team members are informed and engaged
- How to create an inclusive culture to strengthen connections and promote a sense of belonging for all employees
- Policies that address conflicts in hybrid teams
- Normalising the "right to disconnect" and promoting work-life balance

Presented by **Rohan Burn**, Managing Principal, Burn Legal Australia

SESSION 4: RECOGNISING DIFFERENT EMPLOYEE NEEDS AND EXPECTATIONS: GREATER UNDERSTANDING THROUGH IMPROVING COMMUNICATION

THURSDAY, 14 NOVEMBER 2024 \$160
1.00PM TO 2.00PM (AEST) WEB2411N09D

Practice Management and Business Skills

Recognising Different Employee and Colleague Needs and Expectations: Greater Understanding through Improving Communication

- What does emotional intelligence look like and how you can develop it in yourself and your team
- The Power of the Pause
- Five languages of communication
- Gain the skills to identify and accommodate different learning styles among employees and colleagues

Presented by **Nick Murfett**, Director, Murfett Group

See next column for Session 5

LEGAL WRITING WORKSHOP: YOUR GUIDE TO CLEAR, CONCISE AND PERSUASIVE WRITING



THURSDAY, 14 NOVEMBER 2024 \$305
2.00PM TO 4.00PM AEDT 2411V10

As a lawyer, your ability to communicate with the written word is the key to your success. Join a practical skills-based session, led by a renowned expert in legal writing. In this interactive workshop, you will explore a range of best practice writing principles (and some "worst practice" ones as well!) to help ensure your documents — memoranda, reports, submissions, correspondence, emails, advices are models of clarity, persuasion and conciseness.

The Lawyer as a Professional Communicator: Tips on Clear, Concise, Persuasive and Reader-Focused Writing

An American legal scholar once unkindly observed that there are only two things wrong with most legal writing: one is its style; the other is its content. Perhaps these concern were overblown, or are less relevant these days. But it does reinforce the key point that writing – indeed, strong writing – is a fundamental skill required of all lawyers. And it's always good to get a bit of a refresher.

In this interactive workshop, you will explore a range of best practice writing principles (and some "worst practice" ones as well!) to help ensure your documents – memoranda, reports, submissions, correspondence, emails, advices, whatever – are models of clarity, persuasion and conciseness. In the session you will explore:

- ✓ The classical legal writing style: what it looks like, and why it doesn't always work
- ✓ Plain English writing for lawyers: what it is, and what it isn't
- ✓ The professional legal writing voice: myths and realities
- ✓ An international standard on plain language — including a soon-to-be-released standard on legal writing
- ✓ Email writing: the special challenges
- ✓ Clarity in advice writing: an ethical requirement
- ✓ Words, sentences and paragraphs: tips and techniques, including writing for persuasion
- ✓ Grammar and punctuation: problem areas for lawyers

Presented by **Bob Milstein**, Principal, Milstein and Associates; Principal, Words and Beyond

About your presenter

Bob Milstein is a practising lawyer, specialising in health law and also a plain English trainer and document writer. His background in health law – and in particular health care liability litigation – initially sparked his interest in the importance of clear and reader-focused communications. Bob has been running clear writing/plain English training for more than 18 years, and in that time has provided a range of training services to law firms, regulators, government, business, insurers, tribunals and researchers.

ATTEND AND EARN

2 CPD UNITS

2 CPD units in Professional Skills

WEB2410N09 continued

SESSION 5: CONSCIOUS LEADERSHIP FOR FUTURE PROOFING YOUR LEGAL PRACTICE

THURSDAY, 21 NOVEMBER 2024 \$240
12.30PM TO 2.00PM (AEST) WEB2411N09E

Practice Management and Business Skills

Conscious Leadership for Future Proofing Your Legal Practice

Anjani Amriit, an aware winning mentor and best selling author will provide you with practical strategies for implementing conscious leadership in your practice, including daily mindfulness techniques, empathy-building exercises and tools for ethical decision-making. By fostering a culture of trust and collaboration, you'll not only achieve peak performance and profitability but also contribute to a positive impact on the world.

Presented by **Anjani Amriit**, TEDx & Keynote Speaker

ATTEND THE FULL SERIES AND EARN

5 CPD UNITS

5 CPD units in Practice Management and Business Skills

JOINT VENTURES IN REAL ESTATE: NEGOTIATION, TAX CONSIDERATIONS & MANAGING DISPUTES



THURSDAY, 17 OCTOBER
2.00PM TO 5.15PM AEDT

\$420
WEB2410N03

Ensure your client's joint venture development agreement in Real Estate thrives! Elevate your negotiation prowess in drafting effective agreements and create impactful contracts that safeguard your clients' interests. Discover indispensable strategies for resolving conflicts and learn effective methods to break deadlocks when they appear. Equip yourself to tackle any challenge you might face in your JV property development undertakings and pave the way for seamless partnerships in your client's future ventures.

Chair: **Patricia Monemvasitis**, Partner, Carroll & O'Dea Lawyers

Professional Skills

Negotiating Effective Agreements: Tips, Tricks and Common Traps When Dealing with Joint Venture Agreements and Development Management Agreements

- Negotiation process, and site-specific matters
- Distinctions between joint venture agreement and development management agreement: determining which is best
- Common structuring issues: security, control, transfer duty, tax considerations
- Exit provisions and pre-emptive rights
- Negotiating other key clauses

Presented by **Bronwyn Clarkson**, Partner, Carter Newell; *Best Lawyers 2022*, Natural Resources Law and Oil and Gas Law

Tax Considerations in Property Joint Venture Agreements

Tax is a key component in determining the ultimate structure and operation of a joint venture in real estate. Benefit from an examination of some of the key tax considerations including Income Tax and GST, when structuring a joint venture and then managing the joint venture on an ongoing basis.

Presented by **Cameron Steele**, Partner, Dentons

Managing Property Joint Venture Development Disputes

Joint venture disputes raise a range of complex legal and relationship issues – often extending beyond the terms of the written JV agreement. Dive into the complexities of managing and resolving disputes in joint venture projects, including minimising conflicts, mitigating risks and seeking favourable outcomes as you:

- Understand frameworks for dispute resolution, strategic negotiation opportunities, and common resolution options
- Identify key legal issues that frequently arise in joint venture disputes, including the possibility of fiduciary duties, obligations to act reasonably and in good faith, and the role of statutory unconscionable conduct
- Identify proactive steps that can be taken to anticipate and navigate legal challenges, to protecting your client's interests, and fostering productive joint venture relationships amidst disputes

Presented by **Tim Castle SC**, Six St James Hall Chambers

STRATA: DRAFTING BY-LAWS INTENSIVE



FRIDAY, 25 OCTOBER 2024
2.00PM TO 5.15PM AEDT

\$420
2410N14

Even a seemingly minor change such as adding or deleting a word can jeopardise the validity and enforceability of your by-law! Don't risk it! Benefit from this step-by-step guide and ensure your bylaws are drafted with clarity, accuracy and compliance in mind. From legal principles and enforcement strategies to practical tips for drafting clear and enforceable regulations, gain insights into crucial aspects of governance that shape harmonious strata communities.

Chair: **Carlos Mobellan**, Barrister and Mediator, Third Floor St James Hall Chambers

By Laws: Breaking Down the Legal Principles and Requirements

- Essential elements of valid by-laws
- Restrictions and limitations: fraud on a power
- Procedures for making and amending by-laws
- Enforcement mechanisms and penalties for breaches

Presented by **Bede Haines**, Barrister, University Chambers

Professional Skills

Your Guide to Drafting Clear and Enforceable By-Laws

- Principles of clear legal writing
- Common pitfalls in drafting by-laws and how to avoid them
- Practical tips for drafting enforceable by-laws

Presented by **Allison Benson**, Principal, Kerin Benson Lawyers; Member, ACSL Committee

A Deep Dive into Essential By-Laws for Strata Living

Explore crucial by-laws that shape community living within strata properties and considerations for emerging technologies. Breakdown essential guidelines that contribute to harmonious and well-managed strata communities as you examine:

- By-laws related to common property usage
- By-laws governing pets
- Noise control and nuisance management
- By-laws related to short-term rentals
- Technological considerations (e.g., security cameras, internet usage)

Presented by **David Sachs**, Principal, Sachs Gerace Lawyers

“Excellent over view and covered practical application”

ATTEND AND EARN

3 CPD UNITS

2 units in Substantive Law
1 unit in Professional Skills

ATTEND AND EARN

3 CPD UNITS

2 units in Substantive Law
1 unit in Professional Skills

RESIDENTIAL TENANCIES AND ROOMING ACCOMMODATION AND OTHER LEGISLATION AMENDMENT ACT 2024 REFORMS



WEDNESDAY, 6 NOVEMBER 2024
1.00PM TO 2.00PM AEST

\$160
WEB2411Q01

Gain a comprehensive understanding of the latest changes to residential tenancy laws in Queensland under the Residential Tenancies and Rooming Accommodation and Other Legislation Amendment Act 2024 reforms. With significant implications to investors, owners, buyers and sellers you will need to ensure your property law practice is well prepared. Don't run the risk of non-compliance with new bans on rent bidding, restrictions on rent in advance, changes affecting re-letting cost, new fixtures and structural alteration provisions and much more.

Critical Changes to Residential Tenancies Queensland: Impacts on Owners, Buyers and Sellers

Residential tenancy law in Queensland is continuing to change. These laws, which have a significant impact on anyone leasing a residential property or buying or selling an investment property, are complex and need to be properly understood and dealt with to avoid potentially significant penalties and loss of rights. This session will:

- Explore the expanded rent increase frequency cap, which now restricts rent increases within a 12-month period on a property rather than tenancy basis, and how this impact needs to be considered and addressed in contracts and tenancy management
- Unpack the upcoming changes to rental application processes, including standardised application forms and restrictions on collecting and using information
- Provide guidance on the restrictions on rent bidding, reletting costs and recovery of service charges
- Consider the new fixtures and structural alteration provisions, including how these apply for body corporate units
- Consider the impact of other key changes in recent years, including:
 - Restrictions on terminating residential tenancy agreements, particularly the removal of 'without grounds' termination for periodic tenancies
 - The minimum housing standards
 - Tenants' rights to keep pets and the limited grounds where consent can be refused

Presented by **Emile McPhee**, Special Counsel, McCullough Robertson Lawyers

About your presenter

Emile McPhee

Emile is a Special Counsel in our Banking & Finance and Property teams, with specialisations in property finance, retirement living and affordable housing (including SDA). His skills across both finance and property, prior experience in private client structuring and understanding of commercial drivers, present a holistic offering for his clients. In the finance space, Emile acts for both lenders and borrowers on property finance arrangements, including high rise and flat land developments; retail, commercial and industrial leasing portfolios; retirement village, aged care and land lease communities; and social and affordable housing including specialist disability accommodation (SDA). He also acts for retirement village scheme operators in all aspects of retirement villages (including acquisition and leasing). Emile also has significant experience in retail and commercial leasing, acquisitions and disposals, fund through arrangements and property structuring and management

LEGAL ALERT

ATTEND AND EARN

1 CPD UNIT

1 CPD unit in Substantive Law

NEW LEGISLATION ALERT: PROPERTY DEVELOPERS ACT 2024 (ACT)



WEDNESDAY, 13 NOVEMBER 2024
1.00PM TO 2.00PM AEDT

\$160
WEB2411C01

Are you across the groundbreaking new Property Developers Act 2024 (ACT) and its implications including a swathe of new duties and liabilities? Aimed at curbing building defects and unethical developer practices, the Act introduces unprecedented measures including personal liability for directors, retrospective rectification orders and additional licencing requirements. Unpack the extensive implications for developers in the ACT, look to the future of advice to property developer clients and consider this pioneering legislation and its implications.

NEW LEGISLATION ALERT: Property Developers Act 2024 (ACT)

- Background & objectives of new framework:
 - Concerns regarding liability gap for developers within existing regulatory framework for construction works
 - Consumer rights and increased frequency of rectification projects across the ACT
 - Construction industry insolvencies
- Summary of key changes to the Bill since first introduced:
 - Removal of retrospective application for rectification orders
 - Clarification regarding scope of application
 - Meaning of "property developer"
 - Meaning of "regulated residential buildings"
 - Availability of ACAT review of decisions to issue rectification orders and stop work orders
 - Other amendments to avoid regulatory overlap
- Licensing requirements:
 - When a licence is required
 - Meaning of "suitable person"
 - Rating reports
 - Conditions on licences
- Defects rectification:
 - Power for the Registrar to issue rectification orders and stop work orders
 - Defects liability periods for defective building work and serious defects
 - Reviewability of the Registrar's decisions (internal review and ACAT review)
 - Thresholds for personal liability
- Consequential amendments
- Legal consequences: potential implications and unknowns
 - Mixed-use developments
 - Structuring
 - Scope of application
 - Apportionment of liability in contracts between builders and developers
 - Interpretation and operation of strict liability offences
 - Non-reviewability of adverse rating reports
 - Defects liability periods in off-the-plan contracts
 - Liability and enforceability of rectification orders unaffected by pre-existing legal actions
- Other (not strictly legal) considerations
- Insights from other jurisdictions

Presented by **Peter Dascarolis**, Partner, Terracon



NEW & PIONEERING LEGISLATION!

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1 CPD UNIT

1 CPD unit in Substantive Law

4 BIGGEST ISSUES IN PROPERTY AND LAND TRANSACTIONS: CARBON, PLANNING, BUILD-TO-RENT & TAX



WEDNESDAY, 13 NOVEMBER 2024
9.00AM TO 1.15PM AWST

\$505
2411W01

Are you across the 4 biggest issues affecting your client's property development projects? Amidst Western Australia's drive for net zero emissions by 2050, tax obligations and planning restrictions, ensure you have the insights needed to leverage evolving regulations. Empower your clients to tackle anything that crops up in their property development undertakings - from potential conflict in carbon projects, development constraints, build-to-rent (BTR), and income tax barriers. Enhance your arsenal of practical strategies and knowledge to drive success for your clients today.

Chair: **John Syminton**, Consultant, WSR Law

Navigating the Evolving Legal Landscape: Planning and Development in Western Australia

- Recent changes to the statutory planning framework in Western Australia
- Available application pathways
- Legal concepts applicable to the assessment of development applications
- Appeal avenues for planning decisions

Presented by **Isabella Mosole**, Senior Associate, Lavan; *Best Lawyers* 2025, 2024, 'Ones to Watch', Planning & Environment Law; *Doyle's Guide* 2024, 2023, 2022 'Rising Star', Planning & Environment Law; Elected Member, Property Council of Australia, Planning & Infrastructure Committee WA

Current Build-to-Rent Tax Barriers

- Overview of the BTR model
- Explore general tax principles applicable to BTR
- Identify current tax barriers
- Potential impacts of proposed reforms on the BTR sector
- Opportunities for investors and developers in the evolving tax landscape

Income Tax Issues on Property Transactions

- Capital vs revenue distinction in property transactions
- Tax issues relating to property developers
- Capital gains tax exemptions and concessions
- Foreign resident tax-specific considerations

Presented by **Gaurav Chitnis**, Partner, Tax Consulting, HLB Mann Judd

Navigating Carbon Projects in Your Land and Property Transactions

- What is the nature of the rights, title and interests in a carbon abatement project?
- When does an interest in land arise?
- How does the project proponent best protect its interests?
- How do different States approach these issues?

Presented by **Margot King**, Partner, Hamilton Locke and Raymond Deng, Lawyer, Hamilton Locke

COMMERCIAL LEASING ESSENTIALS: OPTIONS, RENT REVIEW, BINDING AGREEMENTS, TAX & UNFAIR CONTRACTS



THURSDAY, 14 NOVEMBER 2024
9.00AM TO 1.15PM AEDT

\$505
2411V05

Don't leave yourself exposed to significant risks in your leasing transactions. With potential disputes arising from poorly negotiated contract terms, financial setbacks from an inability to understand key taxation issues, or a misunderstanding of the binding nature of agreements resulting in a failure to protect your clients' rights – the risks are endless.

Chair: **Max Cameron**, Partner, MinterEllison; Leading Leasing Lawyer, *Doyle's Guide* 2024; Leading Property & Real Estate Lawyer, *Doyle's Guide* 2024

Unfair Contract Terms in Leases

Consider the complexities of unfair contract terms within lease agreements as you unpack common traps. Learn how to identify and challenge unfair clauses, ensuring fairer, more transparent leasing practices for all parties involved.

Presented by **Joseph Carney**, Barrister, Svenson Barristers

Are your Heads of Agreement and Lease Binding?

- What even is a 'Heads of Agreement'!?!?
- Is a 'Head of Agreement' ever binding and, if so, when?
- What is the difference between a Heads of Agreement, an agreement to lease and a lease?
- How do options fit in with this?

Exercise of Options

- What is an option?
- Characteristics of an option in a lease for a further term compared to characteristics of an option to purchase land: the differences
- Requirements for an effective exercise of an option
- Consequences of an effective exercise of an option
- Once an option is exercised is it necessary for a new Deed of Lease to be entered?
- Is it possible to obtain relief against forfeiture of the option if an option is not exercised in accordance with the lease?

Presented by **Robert Hay KC**, Owen Dixon Chambers East

A Guide to Rent Review from Both the Landlord and Tenant Perspectives

- Face vs effective rent review
- Mechanics of market rent review process
- Assumptions and disregards
- Practical considerations and tips and traps from Landlord and Tenant perspectives
- Retail lease requirements
- Recent caselaw

Presented by **Emilie Fary**, Special Counsel, Baker & McKenzie

Taxation Issues Relating to Leasing Transactions

- Taxation implications including income tax, GST and stamp duty
- Issues with incentives
- Issues with fit-outs and improvements
- Tricks & traps

Presented by **Ross Higgins**, Partner and Chartered Tax Adviser, Mills Oakley; Member, Tax Technical Committee for The Tax Institute



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4 CPD units in Substantive Law

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PROPERTY LAW CONFERENCE: DBPA, STRATA, CLIMATE RISK, AML & MORE



WEDNESDAY, 20 NOVEMBER 2024
9.00AM TO 5.15PM AEDT

\$795
2411N14

Brace yourself for significant changes in real estate law. Dive into critical trends in conveyancing and leasing cases and understand the urgent legislative reviews that will redefine the strata landscape. With emerging areas and regulatory reform relating to climate risk insurance, renewable energy, AML and counter terrorism on the horizon, now is not the time for complacency. Ensure compliance and develop skills in strategic planning for your property law clients.

SESSION 1: NAVIGATING PROPERTY LAW: REFORMS, CASES AND COMPLIANCE CHALLENGES

9:00AM TO 1.15PM \$505 2411N14A

Chair: **Tamir Maltz**, Barrister, 12 Wentworth Selborne

NEW REFORMS INCOMING

The Proposed Anti-Money Laundering and Counter-Terrorism Reforms

- A brief synopsis of Australia's AML/CTF's regime within our global community and importance of alignment with international standards
- An overview of the proposed reforms for Australia's AML/CTF regime (the most significant reforms since the regime's introduction), including the key risk areas which the reforms are targeted
- What do these reforms mean for Australia's property sector and stakeholders in the sector?

Presented by **Michelle Segært**, Partner, Dentons; Board Director, Australian Investment Council; Trustee, Committee for Economic Development of Australia; *Best Lawyers* 2015-2025, Corporate Law, Funds Management, Investment Funds

The 2024 Changes to Strata Legislation

Stay ahead in the ever-evolving landscape of strata law as you catch up on the latest updates. Unpack recent legislative changes, case law developments, and practical insights essential for navigating the complexities of strata management.

Presented by **David Knoll AM**, Barrister, 9 Selborne Chambers

Recent Leasing Cases Review

Benefit from a review of recent leasing cases, covering topics such as:

- Lessor's obligation to act reasonably and in good faith when exercising lease powers or discretions
- The obligation to exercise powers or issue notices within a reasonable time
- Holding a lessee to an exercise of option even if all conditions precedent have not been satisfied
- The obligation to maintain a building in a structurally sound condition
- The interaction of terms requiring a lessee to accept property on an 'as is/where is' basis, and a landlord's obligation to provide vacant possession

Presented by **Andrew Harding SC**, 12 Wentworth Selborne Chambers and **Matthew Youssef**, Barrister, 12 Wentworth Selborne Chambers

NSW Recent Conveyancing Cases Examined

Delve into the latest developments and key rulings:

- Gain highlights in significant case studies
- Explore their implications on current practices
- Obtain practical guidance for navigating the complexities of conveyancing

Presented by **Gary Newton**, Partner, HWL Ebsworth Lawyers; Accredited Specialist in Property Law; Author, *Conveyancing Service NSW Looseleaf*, *Annotated Conveyancing and Real Property Legislation* and the drop out books. Co-author, 'Land Acquisition' 7th Edition; *Best Lawyers* 2022, 2023, 2024 and 2025 Real Property Law, Leasing Law; Recommended Leasing Lawyer, *Doyle's Guide* 2022, 2023 and 2024.

SESSION 2: PROPERTY LAW IN TRANSITION: TAX, CLIMATE RISK AND RENEWABLE ENERGY

2.00PM TO 5.15PM \$420 2411N14B

Chair: **Kim Boettcher**, Barrister, Frederick Jordan Chambers

Key Property Tax Updates Revenue NSW Wants You to Know

Stay informed with the latest updates on property taxation from Revenue NSW. Covering essential changes, gain insights into new regulations and practical strategies for navigating the evolving tax landscape as you consider:

- Land Tax
- Transfer Duty
- Foreign Surcharge
- Key cases

Presented by **Oliver Berkmann**, Barrister, Ground Floor Wentworth Chambers; Member, Revenue NSW Liaison Committee

Climate Risk and the Impact on Real Property Law

- The role of lawyers: NSW Law Society's *Climate Change Practitioner Guidance*
- Impacts of climate risk on insurance premiums and availability
- Updates on bushfire and flood planning laws and the impacts on property law

Presented by **Patrick Ibbotson**, Partner, Maddocks; Recommended Town Planning & Development Lawyer, *Doyle's Guide* 2024 and **Samantha Murphy**, Senior Associate, Maddocks

Renewable Energy Projects in Property Transactions

- Type of land tenure available for a project
- Structure and content of renewable project documents
 - Option to lease
 - Lease and rent deed
 - Easements
- Big-ticket negotiation items: what are they and what to look out for

Presented by **Eva Vicic**, Partner, McCullough Robertson Lawyers; *Best Lawyers* 2025, Property Law and **Lynn Teo**, Special Counsel, McCullough Robertson

“Clear and very interesting with real examples”

“Always brings humour to a sometimes dry subject”

ATTEND AND EARN

7 CPD units in Substantive Law

7 CPD UNITS

AVOIDING RISK IN ESTATE PLANNING



WEDNESDAY, 13 NOVEMBER 2024
9.00AM TO 1.15PM AWST

\$505
2411W02

Avoid the risks associated with estate planning and consider the problems that may arise. Navigate mutual wills to avoid surprises, consider SMSFs and their interaction with succession law and how to best use SMSFs in the estate plan. Uncover the problems of intestacy whether it is to avoid intestacy or when dealing with intestacy.

Topics include:

A Guide to Understanding Mutual Wills to Avoid Surprises

- What makes a mutual will mutual: key requirements
- When should your clients consider using a mutual will? And other alternatives
- Addressing unintentional mutual wills agreement and remedies for beneficiaries

Making a Grand Exit: SMSFs & Succession

- What is an "SMSF Will" (and is it really an alternative to a BDBN)?
- Passing control of the SMSF to the "right people"
- Should we wind up an SMSF or pass it on to the next generation?
- Post-death superannuation trusts

Avoiding the Problems of Intestacy

- What can go wrong with Intestate deceased estates
- Practical implications of dealing with intestacy
- Deeds of Family Arrangement and intestacy
- Implications of intestacy on administration and estate litigation

Your presenters include:

Ross Mendonca, Head of Estate Planning and Deceased Estates, Culshaw Miller; Wills, Estates & Succession Planning Law Rising Star – Western Australia, *Doyle's Guide 2023*

Peter Nevin, Partner, Taylor Smart; Recommended Wills & Estates Litigation Lawyer – Western Australia, *Doyle's Guide 2023*

Lisa Monaco, Associate Director, Birchstone Tax Law; Recommended Wills, Estates & Succession Planning Lawyer – WA, *Doyle's Guide 2023*

Matthew Gunn, Senior Associate, Solomon Hollett Lawyers; 2023 *Doyle's Guide* Wills & Estates Law Rising Stars

TESTAMENTARY TRUST WORKSHOP



WEDNESDAY, 21 NOVEMBER 2024 AEDT
9.00AM TO 1.15PM AEDT

\$505
2411N28

In today's dynamic legal landscape, a basic Will no longer meets the diverse needs of all your clients. Lawyers must stay informed about the various testamentary trusts, tailored to address complex scenarios in blended families and asset protection needs, and beneficiaries facing disabilities or vulnerabilities. Join Paul Evans, a recognised Wills and Estates law expert for this comprehensive workshop, where you will acquire essential insights, real-world examples and clauses, effective strategies, and best practices to ensure your testamentary trust drafting expertise is always correct.

Throughout the workshop, you will review example clauses and learn how to avoid pitfalls when drafting testamentary trusts, examining the following:

- ✓ Circumstances for including a testamentary trust in the will
 - ✓ Drafting for the different types of testamentary trusts:
 - Special disability trusts
 - Life interest trusts
 - Superannuation death benefit trusts
 - Testamentary discretionary trusts
 - ✓ Managing tax issues with testamentary trusts
 - Excepted Trust Income
 - Capital gains tax and land tax
 - Non-resident beneficiaries
 - ✓ Administrative and legal requirements for setting up the trust
 - ✓ Explore case studies to illustrate when a particular trust may be appropriate for a client's circumstances
 - ✓ In-depth strategies to elevate your drafting
 - ✓ Example clauses to take away and utilise in your drafting
 - ✓ Example clauses to avoid and what to do differently
- Presented by **Paul Evans**, Partner, Makinson d'Apice Lawyers; Accredited Specialist in Wills & Estates Law, Member of STEP; Preeminent Wills, Estates & Succession Planning Lawyers – New South Wales, *Doyle's Guide 2023*

What past attendees have said about Paul's workshops:

“ Succinctly provided information in an entertaining way ”

“ Informative and knowledgeable ”

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Substantive Law

ATTEND AND EARN

4 CPD UNITS

2 units in Professional Skills
2 units in Substantive Law

ESTATE PLANNING: MUTUAL WILLS, BUSINESS SUCCESSION AND PROTECTING VULNERABLE BENEFICIARIES



FRIDAY, 22 NOVEMBER 2024
2.00PM TO 5.15PM AEST

\$420
WEB2411Q04

Gain invaluable insights into critical aspects of estate planning. Explore the complexities of mutual will agreements and learn to avoid pitfalls to safeguard your clients' interests. Discover best practices for business succession planning, focusing on critical components that should be included in succession agreements. Explore advanced estate planning techniques designed to protect vulnerable beneficiaries, including strategies for minors, those at financial risk, and individuals facing relationship or health challenges. This is the opportunity to enhance your expertise with practical insights and forward-thinking strategies to better serve your clients.

Chair: **Laura Hanrahan**, Special Counsel, Hall & Wilcox; Leading Wills, Estates & Succession Planning Lawyer – Queensland, *Doyle's Guide 2023*

Mutual Will Agreements: Curse or Blessing

Whether you love them or hate them, couples at times enter into mutual will agreements without advice or any formal documents. Like a hidden rash they are out there. In this session you will learn how to avoid these secretive mutual will agreements and when to consider drafting a more formal and certain one.

- The legal elements of a mutual will agreement
- Their advantages and disadvantages
- Remedies for beneficiaries of mutual will agreements
- Alternative or complementary solutions

Presented by **Bryan Mitchell**, Principal, TEP, Mitchells Solicitors; Accredited Specialist in Succession Law; Preeminent Wills, Estates & Succession Planning Lawyer – Queensland, *Doyle's Guide 2023*; Leading Wills & Estates Litigation Lawyer – Queensland, *Doyle's Guide 2023*

Testamentary Planning for Business Succession

- Testamentary plans for business succession: what should be included in a succession agreement
- Dealing with business property
- How should a personal controlling interest in the business be dealt with in a will

Presented by **Paige Edwards**, Special Counsel, McCullough Robertson; Accredited Specialist in Succession Law

Estate Planning for Vulnerable Beneficiaries

Explore the use of testamentary trusts to protect assets for vulnerable beneficiaries. Examine the use of restrictive trusts and the rights of disgruntled beneficiaries to challenge an estate or trust structure.

- Trusts for minor beneficiaries
- Financially vulnerable beneficiaries
- Beneficiaries at risk of relationship breakdown or bankruptcy
- Disabled or incapacitated beneficiaries

Presented by **Patrick Ellwood**, Director, Clover Law

WORKPLACE INTERNAL INVESTIGATIONS INTENSIVE



FRIDAY, 25 OCTOBER 2024
9.00AM TO 1.15PM AEDT

\$505
2410N07

Don't miss this opportunity to gain a high-level step-by-step guide and comprehensive insights into undertaking Workplace Investigations from a leading authority on workplace internal investigations. You will take a deep dive into the entire investigation process, from initial complaint triage to post-investigation management. This knowledge is invaluable for ensuring your workplace investigations are conducted with the highest standards of procedural fairness, reducing the risk of legal challenges and enhancing the credibility of your findings. An Intensive not to be missed.

Chair: **Claire Limbach**, Legal Counsel – Workplace Relations, ClubsNSW

Your Workshop Facilitator will be Jason Clark, Director & Co-Owner, Worklogic; Co-author *Workplace Investigations* 4th Edition, Wolters Kluwer

✓ Complaint Triage

- When is a complaint actually an allegation
- Deciding whether you need to investigate or take a different approach

✓ Legal Principles When Conducting Workplace Investigations

- What is procedural fairness?
- Hallmarks of a procedurally fair process
- What puts procedural fairness at risk

✓ Draft Allegations

- Understanding the minimum requirements for a procedurally fair allegation

✓ Weighing Evidence

- What is evidence and what is relevant and necessary to make findings
- Making findings in they said / they said scenarios
- How to assess the credibility of evidence
- How to proceed when it is a voice against another?
- How to proceed if the respondent makes a bullying/discrimination complaint against the complainant?

✓ Common Pitfalls in Workplace Investigations and How to Avoid Them

✓ Managing the Post Investigation Space

- Findings are made, the respondent is retained, what next?

Presented by **Jason Clark**, Director & Co-Owner, Worklogic; Co-author *Workplace Investigations* 4th Edition, Wolters Kluwer



ATTEND AND EARN

3 CPD UNITS

3 CPD units in Substantive Law

ATTEND AND EARN

4 CPD UNITS

4 CPD units in Professional Skills

DEALING WITH WORKPLACE MENTAL HEALTH: KNOWING THE DUTIES AND LIABILITIES



FRIDAY, 22 NOVEMBER 2024
9.00AM TO 1.15PM AEST

\$505
WEB2411Q03

Don't fall behind on crucial workplace mental health updates. Be aware of the implications of all of the latest reforms, including the Right to Disconnect? Failing to understand the enhanced duties and liabilities as an employer or an advisor could have serious consequences. Be clear on your responsibilities concerning psychosocial hazards and the Respect@Work legislation. Mishandling long-term ill and injured employees could lead to significant issues. Ensure you're fully aware of your obligations to your insurer to avoid costly mistakes.

Chair: **Susan Moriarty**, Principal, Susan Moriarty & Associates

Unpacking an Employer's Obligations with Respect to Psychosocial Hazards in the Workplace and Respect @ Work: Developing a Systems Based Approach

- Understanding an employer's obligations to minimise the risk of psychosocial hazards in the workplace
- Practical steps to proactively eliminate the risks of sexual harassment in the workplace to comply with the 'Respect at Work' positive duty
- Developing a systems based approach to ensure compliance and minimise legal risk

Presented by **Alanna Fitzpatrick**, Partner, K&L Gates

Managing Burnout: The Right to Disconnect and Limitations on Reasonable Working Hours Under the National Employment Standards

- In case you have been living under a rock: What is the Right to Disconnect and what are the obligations on the parties?
- How does the Right to Disconnect interact with the NES and other obligations under Modern Awards?
- How is the Fair Work Commission implementing its management of the jurisdiction?
- What are the lessons emerging from the first 3 months of operation (and what is recommended as a result)?
- Are similar "reforms" on the horizon for QLD public sector employees?

Presented by **Stephen Hughes**, Legal Practice Manager, Rin Kim Law; Accredited Specialist in Personal Injuries

Inherent Requirements and Reasonable Adjustments - Applying Foundational Principles to Mental Health at Work

- Absenteeism
- Protection from dismissal
- Work health and safety considerations
- Suitable duties and reasonable adjustments
- Discrimination considerations

Presented by **Rebecca Pezzutti**, Legal Practice Director, IRiQ Law

Cross Over with Workers Compensation Issues

- The employer's obligations to the insurer
- What to do if you think that the insurer has it wrong
- Information the worker/employer can access
- Recent statutory and common law cases

Presented by **Kate Denning**, Principal, Denning Insurance Law

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