

# Complete CPD Guide

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**300+ seminars**  
**31 March Deadline**

February - March 2020



**EARLY BIRD DISCOUNT** Register and pay by 24 Dec 2019 to save up to \$100

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## TERMS AND CONDITIONS

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# Before we get to the programs...

The next 20 pages are filled with **hundreds of presentations** that we're so proud to offer you.

But right now we want to simply say **thanks**.

**Thanks to the hundreds of delegates** who generously gave us their time and feedback to ensure that these programs contain the most timely and relevant content possible.

**Thanks to the presenters** who will collectively spend thousands of hours sharing their unparalleled knowledge and experience with our delegates this February and March.

**And a special thanks to the 14,000+ lawyers, accountants and other professionals** who will trust Legalwise Seminars with their career development in 2020.

*Your trust in us is only rivalled by our dedication to exceed your expectations.*

Now onto the programs!



**Jacquelyn Simon**  
Managing Director

# BUY MULTIPLE & SAVE BIG!

Register for any **2 half day seminars** for **\$435 each** (Save \$110)

Register for any **3 half day seminars** for **\$320 each** (Save \$510)

Register for any **4 half day seminars** for **\$295 each** (Save \$780)

Register for any **5 half day seminars** for **\$275 each** (Save \$1,075)

## So, what's the catch?

...There are none! The only requirement is that the multiple registrations must be completed in one transaction (discounts can only be calculated automatically during the registration process, and not retrospectively).

For all full day conferences, please register for the morning and afternoon session separately in order to receive the discounts.

## Don't miss out on these great savings!

Before you register, why not speak to your colleagues and see if they are also interested in attending any of our upcoming programs (we have over 300 to choose from in February and March, and over 200 past recordings). This way, everyone can benefit from these huge discounts and ensure they are CPD compliant by 31 March!

## Require more than 25 hours of CPD for your firm?

If you require more than 25 hours for your firm, contact Louise, our Delegate Manager on 02 9387 8133, or email [info@legalwiseseminars.com.au](mailto:info@legalwiseseminars.com.au) and find out how to save even more with our Corporate Subscription packages.

NB: Because this promotion is so good, unfortunately it cannot be combined with any other discounts.

# LIQUOR LICENSING REFORMS

TUESDAY, 17 MARCH 2020  
9.00AM TO 1.15PM

\$490  
203S01

Described as the most significant change to hit SA's liquor licensing laws in 20 years, late 2019 will see the commencement of a new liquor licensing system. Don't miss your chance to hear from Judge Brian Gilchrist, the Liquor and Gambling Commissioner Dini Soulio and several industry specialists. Explore the practical considerations of the reforms for new businesses and new licence applicants and examine new disciplinary actions.

## CHAIR & OPENING COMMENTS

Judge Brian Gilchrist, Licensing Court of South Australia

## INSIGHTS FROM THE COMMISSIONER

### Liquor Legislation Reforms: The Anderson Review, Liquor Reforms and Legislation, New Licence Categories and Practical Application

- Overview of the reform timeline and staged implementation process
- Licence transition process and principles, including review of licence conditions
- Objects of the new Act
- New licence categories (8) and right of review
- Submissions, replacing the former objection and hearing process
- Community Impact Assessments – replace the former Needs Test – when will they be required?
- New application processes and the LGO system (Liquor & Gaming Online)
- Gaming legislation review

Presented by **Commissioner Dini Soulio**, SA Commissioner for Consumer Affairs, Liquor and Gambling and **Jillian K Lieschke**, Hearings Delegate for the Liquor and Gambling Commissioner, Consumer and Business Services

### Liquor Licensing Applications, Transactions and Compliance Matters

- Practical considerations for new businesses and new licence applicants: What has changed?
- 'Due diligence' processes in acquiring or disposing of businesses involving liquor licences

Presented by **Andrew Williams**, Partner, Finlaysons Lawyers

### Licensing Court Update: Disciplinary Actions and Other Cases of Interest from the Licensing Authority

Presented by **Ben Allen**, Partner, Wallmans Lawyers

# SA PLANNING LAW REFORM

TUESDAY, 17 MARCH 2020  
2.00PM TO 5.15PM

\$490  
203S02

A new planning era in South Australia is fast approaching with the introduction of a new legislative regime in early 2020.

Are you prepared for the impact of the new *Planning, Development and Infrastructure Act*?

The staged commencement of the Act on 1 April 2020 in rural council areas and on 1 July 2020 in urban council areas will bring many significant changes to the manner in which development occurs in South Australia.

Spend the afternoon preparing for the new planning era in this interactive seminar where you will explore:

- Development applications: how they must be lodged, to which relevant authority and how they will be assessed
- The Planning and Design Code: how it will operate and how it will impact planning assessments
- Building assessment, safety and inspection requirements
- Enforcement and compliance
- Infrastructure agreements and funding arrangements under the new Act

Workshop Facilitators:

**Victoria Shute**, Lawyer, KelliedyJones Lawyers

**David Billington**, Barrister, Howard Zelling Chambers

*Victoria Shute is a specialist practitioner with extensive experience in providing advice and representation to councils, statutory bodies and private clients on planning, building and environmental issues. Victoria's expertise has been recognised through her inclusion in the Best Lawyer's Australia list as an outstanding practitioner in Planning and Environmental Law from 2014 to present as well as being recognised in Doyle's Guide of Leading Planning and Environment Lawyers.*

*David Billington is the go-to junior counsel in South Australia in respect of two practice areas: environment and planning matters, and native title. David's primary practice also includes construction, building and development law (including liquor licensing and neighbour disputes). David prosecutes and defends regulatory prosecutions, conducts merits appeals and judicial review matters, and enforces judgments including by contempt proceedings.*

“Excellent, kept my attention throughout, worthwhile.”

“The session was very informative. All of the speakers were knowledgeable.”

4 ATTEND AND EARN

4 CPD units in Substantive Law

3 ATTEND AND EARN

3 CPD units in Substantive Law

# PROPERTY TAXES FOR ALL LAWYERS

TUESDAY, 17 MARCH 2020  
9.00AM TO 1.15PM

\$490  
203S03

With South Australia's property tax regime in a state of upheaval, there has never been a more crucial time to build a comprehensive and effective property tax toolkit that you can use immediately in your practice. Featuring insightful perspectives from the legal and accounting sectors, you will gain information, updates and strategies through in-depth and practical presentations on key property tax issues and how they play out in the real world.

Chair: **Con Tragakis**, Chairman, East26 Advisory

## States Taxes: A State of Change

- Land tax: what eventuated
  - Common holdings
  - Trusts
  - Company grouping
  - What next
- *Duties Act*: what may eventuate
  - *Duties Act* model
  - What is likely to be new or changed
  - What it means in practice and when will it commence?
- Land valuations: what is coming

 Presented by **Bernie Walrut**, Barrister, Murray Chambers

## GST and Property Transactions

- GST withholding on residential property developments
- GST Margin Scheme: opportunities and pitfalls
- Capital vs revenue conundrum
- Adjustment events associated with change of use
- GST-free Supply of a Going Concern
- GST clauses

 Presented by **Michael Cranwell**, Manager - Indirect Tax, EY

## Property Tax and Foreign Acquirers and Investments

Explore a select set of issues facing foreign acquirers of real property in Australia including:


- Duty and land tax considerations
- Vacancy fee
- Foreign resident capital gains withholding
- CGT main residence changes

 Presented by **Sarah Lennon**, Manager, PKF Adelaide

## A Guide to Tax Structures for Holding Property: the Advantages and Disadvantages of Each

Property may be owned by a holding entity for various reasons including asset protection, to keep the property for the benefit of certain persons or for ease of transferring to other entities. Consider the advantages and disadvantages of the following types of entities holding real property:

- SMSFs including borrowing in super
- Discretionary trusts
- Unit trusts
- Holding companies

 Presented by **Marita Pangallo**, Barrister, Howard Zelling Chambers

# WORKPLACE LAW FORUM

9TH  
ANNUAL

TUESDAY, 17 MARCH 2020  
2.00PM TO 5.15PM


\$490  
203S04

It'd be nice if you could simply tell yourself and your clients to keep calm and carry on working. But with so many rapidly developing changes, growing risks, and ever increasing challenges for employment lawyers and HR personnel, it's never so simple. Gain essential knowledge of the most topical contemporary issues related to general protections, sexual harassment, managing long term ill employees, mental health and more.

Chair: **Kirsty Stewart**, Barrister, Howard Zelling Chambers


## General Protection Orders

- Choice of jurisdiction and nature of employment
- Workplace rights, discrimination and adverse action
- Persons involved in contraventions
- Penalties, general breaches and remedies

 Presented by **Rick Manuel**, Barrister, Rick Manuel; Recommended Employment & WHS Junior Counsel, *Doyle's Guide 2019*

## How Businesses are Managing Challenges of #MeToo

- Current law(s) and what employers must do to avoid being vicariously liable for the misdeeds of others
- Best practice training that is engaging, tailored, practical and sensitive
- Best practice drafting: code of conduct, policies and procedures
- Best practice in leadership: modelling appropriate behaviours and fostering a compliance culture
- Managing the challenges in practice: workplace relationships and out of hours conduct

 Presented by **Michael Kay**, Practice Leader, Employment and Safety, Wallmans Lawyers; Recommended Employment Lawyer (Employer Representation) *Doyle's Guide 2019*; *Best Lawyers 2019*, Labour & Employment

## Management of Ill and Injured Workers

- Legal risks; the legal framework and common claims
- Dealing with medical evidence
- Directing employees to attend independent medical examinations
- Mental health and performance issues
- Reasonable adjustments

 Presented by **Alexandra Thompson**, Senior Associate, MinterEllison

## Professional Skills

### The Psychology of Mental Health

- Mental health and mental illness, how they impact performance at work
- Warning signs of psychological difficulty
- How to start a conversation with a staff member displaying mental health issues

 Presented by **Samantha Young**, Managing Director, Human Psychology

**4** ATTEND AND EARN

4 CPD units in Substantive Law

**3** ATTEND AND EARN

2.5 units in Substantive Law  
0.5 units in Professional Skills

05

## 10 CPD POINTS IN ONE DAY

WEDNESDAY, 18 MARCH 2020  
7.30AM TO 6.30PM

\$960  
203S05

For those looking for the one-stop-shop, look no further. Gain all your CPD points in one go, soak up the most important legal updates for the year to come and develop the practical strategies and skills necessary take your practice to the next level.

### SESSION 1: FAMILY, TRUSTS AND ESTATES LAW ROUNDUP

7.30AM - 10.30AM 203S05A \$490

Chair: **David Jenkin**, Director, Howe Jenkin

#### Family Law: Key Cases & Developments in Property Settlements

- Calculating the matrimonial asset pool: what is included and excluded
- Assessing contributions & future needs: the latest cases
- Developments in de facto case law
- Tips for delivering efficient outcomes for clients

Presented by **Jane Miller**, Barrister, Elizabeth Evatt Chambers

#### Wills and Estates Case Update

Explore important recent cases in wills and estates law that you need to know to provide the best possible advice to your clients.

Presented by **David Riggall**, Barrister, Anthony Mason Chambers

#### Capacity, Elderly Clients & Elder Abuse

Examine the latest issues and updates impacting this increasingly significant area of law.

Presented by **Christopher Brohier**, Barrister, Elizabeth Mews

#### Trusts Law: Tips and Traps

- Different types of trust structures: their pros and cons
- Responsibilities in a trust structure
- A lawyer's perspective: drafting, varying, advising
- Vesting issues and practicalities

Presented by **Julie Van der Velde**, Principal, VdV Legal; Trust and Estate Practitioner

### SESSION 2: CPD REQUIRED UNITS FOR ALL LAWYERS

10.45AM - 1.45PM 203S05B \$490

Chair: **Kristie Molloy**, Barrister, Legoe Chambers

#### Practical Legal Ethics

##### The Ethics of Proofing Clients & Witnesses

- When a client's instructions poses an ethical dilemma
- Problems when clients/witnesses may raise mental health issues
- Ethics in proofing your client to give evidence
- Case studies of particular ethical dilemmas for legal practitioners

Presented by **Claire O'Connor SC**, Villeneuve Smith Chambers

#### Practice Management or Business Skills

##### Understanding and Interpreting Financial Reports

- Different type of financial reports: how they are prepared, who prepares them and who should rely on them
- Understanding the reliability and information value of reports
- How to analyse financial statements
- Fundamental account principles, standards, concepts and definitions
- Balance sheets and other key areas to understand

Presented by **David Fechner**, Partner, BDO; CA & CTA

#### Professional Skills

##### Effective and Engaging Presentations

- How presenting can help you position yourself as a go-to expert
- How to meet the audience's needs and expectations
- How to structure your presentation
- Using visuals effectively
- Differentiate yourself from other speakers: let your personality show
- How to control your nerves and handle question time

Presented by **Shelley Dunstone**, Principal, Legal Circles

### SESSION 3: PROPERTY AND COMMERCIAL LAW UPDATE

2:15PM - 6.30PM 203S05C \$490

Chair: **Ruth Beach**, Principal, Ruth Beach Lawyer and Mediator

#### 5 IP Questions Your Commercial Clients Will Ask

- What is IP and why do I need to care about it?
- How do I copyright a patent?
- But I paid for it... don't I own it?
- If I change it by at least 10%, is it still infringement?
- Can I register a worldwide trade mark?

Presented by **Luke Dale**, Partner, HWL Ebsworth Lawyers

#### Property Law Update

Examine recent cases and hear what these developments mean for your clients and how you can prepare your practice.

Presented by **Chris Kelly**, Partner, Thomson Geer

#### Contract Disputes and Dispute Resolution Clauses

- How to structure the contract to avoid disputes escalating and to manage the process
- How to choose the appropriate dispute resolution method
- Arbitration clauses: the effect and enforceability of these clauses
- Are there limitations on the subject matter of arbitral disputes?

Presented by **Andrew Robertson**, Partner, Piper Alderman

#### Preparing a Business for Sale: Maximising Value and Avoiding Potential Risks

- Navigating the sale process
- Due diligence: getting your house in order
- Structuring and tax considerations
- Managing the impact of warranties and indemnities
- Private equity: Friend or foe?

Presented by **Ben Wilson**, Partner, CCK Lawyers; CTA

## 10 ATTEND THE FULL DAY AND EARN

7 CPD units in Substantive Law 1 CPD unit in Practice Management or Business Skills  
1 CPD unit in Practical Legal Ethics 1 CPD unit in Professional Skills

# WOMEN IN LAW: CAN I HAVE IT ALL?

THURSDAY, 19 MARCH 2020  
9.00AM TO 1.15PM

\$490  
203S07

# ADVANCED CRIMINAL TRIAL PREPARATION

THURSDAY, 19 MARCH 2020  
2.00PM TO 5.15PM

\$490  
203S08

There is an urgent need to acknowledge and identify critical and important issues for you and your career as a woman in law. Act now, don't wait. Enhance and embrace your aspirations for you and your career. Hear how to have a long and successful career in the law while balancing the demands of a home life and making the most of all opportunities as they come your way. Think about your career – what do you want, and how will you achieve it? Come and join a collection of some of the most impressive women in the legal industry and find out.

## CHAIR & OPENING COMMENTS

Her Honour Penelope Kari, Judge of the Federal Circuit Court of Australia

## ★ KEYNOTE ADDRESS

### Inherent Risks of Treatment

Presented by The Honourable Vickie Chapman MP, Deputy Premier and Attorney-General

### Practice Management and Career Progression

- Goal setting
  - Working to your strengths
- Presented by **Dr Rachael Gray QC**, Victoria Square Chambers; Leading Wills and Estates Litigation Lawyer, *Doyle's Guide* 2019

### Stepping Outside the 'Law Bubble': Career Benefits from Experiences & Opportunities Outside your 'Day Job'

- Exploring the value of diversity in the workplace
  - Transferability of skills
- Adaptability from other careers including previous legal roles
- Contributing to the profession and the community
  - Pro bono activities
  - Mentoring
  - Professional reputation and ethical conduct

Presented by **Michelle Barnes**, Barrister, Len King Chambers; Recommended Criminal Law Junior Counsel, *Doyle's Guide* 2019 and **Jillian Smith**, Senior Solicitor, Crown Solicitor's Office

### Women in Leadership Roles

- Leading a team
  - The value of having a mentor(s) and being a mentor
  - Taking responsibility
  - Leading by example
  - The importance of failure
  - Being honest and transparent
- Presented by **Lucy Boord**, Senior Prosecutor, Office of the Director of Public Prosecutions

### Can You Have it All? Dissecting the Reality of Work/Life Balance

Developing your plan, making it work and being flexible for changes in life circumstances including career changes and family.

Moderator: **Her Honour Penelope Kari**, Judge of the Federal Circuit Court of Australia

Panellists: **Stephen Kenny**, Director, Camatta Lempens  
**Laura Carocci**, Coach and Strategist  
**Megan Dyson**, Principal, Megan Dyson Law and Policy

As requested by you, join two of Adelaide's leading criminal law practitioners as they guide you through crucial areas of the criminal trial process. Gain valuable insight through the use of transcripts and other material from real cases. This is your chance to ask questions, learn essential tips and tricks and make sure you have your 'A' game ready for your next court appearance.

### SESSION 1: Pre-trial Preparation

In this session you will cover pre-trial preparation including, enforcing disclosure at common law and statute, consideration of the indictment and particulars, consideration of character & reliability issues, consideration of admissibility of prosecution evidence, consideration of what to challenge and what to agree.

### SESSION 2: Case Concept and Opening Address

In Session 2 you will explore the case concept and opening address in detail.

### SESSION 3: Cross-examination

Reflect on the purposes of cross-examination, consider how to determine the areas for cross-examination and review techniques.

### SESSION 4: Closing Address

Explore how to best identify the issues for a closing address.

Presented by:

**Andrew Williams**, Managing Partner, Williams Barristers and Solicitors  
**Gilbert Aitken**, Barrister, Mitchell chambers

*Andrew Williams is a respected Adelaide lawyer and senior founding partner at Williams Barristers and Solicitors where he brings a wealth of criminal defence experience. A Prosecutor with DPP (State) from 2000 to 2006, he appeared as counsel and has significant trial experience in the Supreme, District and Magistrate's Courts. Andrew is recognised in the 2019, 2017 and 2016 Doyle's Guide as one of Adelaide's leading criminal lawyers.*

*Gilbert Aitken is a highly respected Barrister who is currently engaged as lead Counsel in Queen v Perre. He has 13 years of experience as a solicitor and 13 years at the Bar, practising exclusively in criminal and human rights law. He has appeared in a wide range of cases, from murder to white collar crime. He has been lead counsel in a number of high-profile murder cases. He has a particular interest in international law and international criminal law and holds an LL.M.*

## 4 ATTEND AND EARN

4 CPD units in Practice Management or Business Skills

## 3 ATTEND AND EARN

3 CPD units in Professional Skills

# PERSONAL INJURY ROUNDUP

FRIDAY, 20 MARCH 2020 \$490  
9.00AM TO 1.15PM 203S09

Gain a substantial and timely personal injury law overview like no other. You will not need to look any further for the latest updates and legislation. Keep up to date with all the recent developments in the critical areas of personal injury law.

Chair: **Alexander Ward**, Barrister, Edmund Barton Chambers

## Catching Up in Medical Negligence: The Latest in Breach of Duty and Causation

- Review recent cases from around Australia on the ever-complex issues that arise in breach and causation in medical negligence
- Analyse developments and examine disentangling multiple, progressive injuries

Presented by **Audrey Bosboom**, Barrister, Anthony Mason Chambers

## THE PSYCHIATRIST'S PERSPECTIVE

### Professional Skills

#### The Assessment of Psychiatric Injuries

- The validity and reliability of DSM 5 diagnoses in a medicolegal setting
- Objective indicators of psychiatric dysfunction
- Briefing your expert: how to obtain the most useful report and the best results
- The future of psychiatric evaluations

Presented by **Dr Marty Ewer**, Psychiatrist

## Workers Compensation Update

Take an insightful look at the developments in the *Preedy* decision which deals with a combination of issues arising from the assessment of a worker's whole person impairment.

Presented by **Jodie Bradbrook**, Principal, Bradbrook Lawyers

## Extending Limitation Periods in Personal Injuries

- Historical perspective
- *Limitations of Actions Act 1936*
- Case studies

Presented by **Anthony Kerin**, Partner, Grope Hamilton Lawyers

## Wrongful Death Actions

- Understanding Part 5 of the *Civil Liability Act 1936* (SA)
- A dependant's loss of the financial support and services of the deceased
- Analysis of recent cases and developments in loss of dependency claims
- Declarations under the *Family Relationships Act 1975* (SA) for a domestic partner of the deceased
- The lawyer's traditional approach vs the new approach to assessing damages for loss of dependency claims

Presented by **Leanne Larosa**, Barrister, Mitchell Chambers and **Julia Bossert**, Director, Vincents' Forensic Accounting Unit

# CPD REQUIRED UNITS FOR LITIGATION LAWYERS

FRIDAY, 20 MARCH 2020 \$490  
2.00PM TO 5.15PM 203S10

A stellar line-up of Adelaide's finest litigators, plus the Legal Profession Conduct Commissioner, provide you with their best tips and tricks to enhance your litigation practice. Don't miss this opportunity to gain your CPD required units with in-depth and practical sessions tailor made for litigators.

Chair: **Wendy Jones**, Partner, Fisher Jeffries Barristers & Solicitors

### Professional Skills

#### Proportionate Liability: Pleading Issues & Evidentiary Barriers and Techniques

- Summary of proportionate liability principles under the *Law Reform (Contributory Negligence and Apportionment of Liability) Act*, the *Competition and Consumer Act* and the *Corporations Act*
- Identifying a potential proportionate liability defence
- Adequately pleading a proportionate liability defence
- Obstacles to the existence or success of a proportionate liability defence
- Evidentiary barriers and evidence gathering techniques in relation to proportionate liability defences
- Potential joinder of wrongdoers by a plaintiff or a defendant: To join or not to join?
- Traditional contribution proceedings as between defendants as an alternative to proportionate liability

Presented by **Christian Munt**, Barrister, Edmund Barton Chambers; Recommended Junior Counsel for Litigation & Dispute Resolution, Construction and Insolvency, *Doyle's Guide*

### Practical Legal Ethics

#### The Ethics of Proofing Clients & Witnesses

- When a client's instructions poses an ethical dilemma
- Problems with clients or witnesses who might raise mental health issues
- Ethics in proofing your client to give evidence
- Dealing with witnesses
- Case studies of particular ethical dilemmas for legal practitioners

Presented by **Claire O'Connor SC**, Villeneuve Smith Chambers; Recommended Senior Counsel for Family Law, *Doyle's Guide 2019*

### Practice Management or Business Skills

#### Avoiding Complaints and Responding to Investigations

- What commonly causes complaints?
- What should you do to avoid complaints?
- Overcharging issues
- How should you deal with an investigation?
- Recent changes to the *Legal Practitioners Act*

Presented by **Greg May**, Legal Profession Conduct Commissioner



## UNABLE TO TRAVEL?

Why not attend our seminars live online or on-demand, on any device, 24/7

## 4 ATTEND AND EARN

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

## 3 ATTEND AND EARN

1 CPD unit in Practical Legal Ethics  
1 CPD unit in Practice Management or Business Skills  
1 CPD unit in Professional Skills





# ADVANCED EVIDENCE AND ADVOCACY MASTERCLASS

10TH ANNUAL

FRIDAY, 28 FEBRUARY 2020  
9.00AM TO 5.15PM (AEDT) Live from NSW

\$870  
WEB202N04

This unique and practical intensive brings together an esteemed panel of litigators, the Hon. Judge Harman and Supreme Court Prothonotary Rebel Kenna to provide you with valuable insights into how you can elevate your skills to the next level. Focus on high level admissibility issues before perfecting your advocacy craftwork in this can't miss masterclass led by some of Sydney's foremost advocates.

## SESSION 1: MASTERING THE ART OF ADVOCACY

9.00AM - 1.15PM WEB202N04A \$490

Chair: **Rebel Kenna**, Director and Prothonotary, Supreme Court of NSW

### Writing to Win: Persuasive and Effective Written Advocacy

- Tips to improve the strength of your legal writing
- Pitfalls to avoid in your legal writing
- How to use written argument to persuade
- Structure and design your written advocacy for effectiveness
- Anticipate and address the Court's questions

Presented by **Theresa Baw**, Barrister, Frederick Jordan Chambers

### Advocacy on Interlocutory and Urgent Applications

- Assessing urgency and determining when to approach the court
- Effect of delay
- Proceeding ex parte or inter partes
- Notifying the other side
- Preparing the necessary documents
- Tailoring the evidence according to the facts and the time available
- Presenting the facts and the documents
- Assisting the court
- Duties of disclosure during the hearing

Presented by **Anthony Cheshire SC**, 8 Wentworth Chambers

### Enhancing Your Cross-Examination Practice and Procedure

- Evaluating your preparation and cross-examination techniques: questions to ask the witnesses and how to discredit the witness
- Less is more: avoiding unnecessary cross-examination and re-examination
- Identifying and leveraging cross-examination inconsistencies
- Controlling the witness to elicit the appropriate response
- Reevaluating your approach

Presented by **James Glissan AM ESM QC**, H B Higgins Chambers; author, *Advocacy in Practice*, LexisNexis

### The Art of Advocacy in Mediation

- Objectives: What are you trying to achieve in the mediation?
- Preparation: pre-negotiation strategies, influencing perceptions of strength and use of documents
- Presenting the argument: use of agendas and silence, uncovering assumptions and maximising interests
- Effective bargaining: inventing options, expanding issues, trading concessions, breaking impasses
- Closing the deal: effective techniques for achieving closure

Presented by **Harold Werksman**, Partner, Thomson Geer

## SESSION 2: EVIDENCE MASTERCLASS

2.00PM - 5.15PM WEB202N04B \$490

Chair and opening remarks: **The Honourable Judge Joseph Harman**, Federal Circuit Court of Australia

### CHAIR AND OPENING REMARKS

Presented by **The Honourable Judge Joseph Harman**, Federal Circuit Court of Australia

### Advanced Strategies for Clear and Persuasive Expert Evidence

Looking through the lifecycle of expert evidence:

- Briefing experts: tips to get it right from the start and what pitfalls to avoid
- The different roles of an expert: fact finder, independent expert (opinion evidence), financial data analyst.
- Clean and dirty experts, referees.
- Preparing the expert report: drafting the expert's instructions, assumptions and questions
- The joint expert process and joint reports: how experts interact and to what extent lawyers can retain control
- Giving evidence in the box: an expert's perspective on cross examination and concurrent evidence

Presented by **John Temple-Cole**, Partner and **Anh Nguyen**, Executive Director, KordaMentha

### Electronic Information in Legal Disputes and Investigations

- Understanding sources of electronic information in order to best present your case
- Forensic analysis of electronic information
- Protecting and challenging chain of custody
- Building a case using electronic evidence
- Authentication of electronic evidence
- Tools to present electronic information

Presented by **Dr Allison Stanfield**, Principal, SG Legal Services

### Evidence Admissibility and Hearsay

- Admissibility issues
  - Identifying issues early on
  - Developing strategies to deal with problematic evidence
  - Getting your evidence in and challenges from opposing counsel
- Hearsay evidence
  - Available, unavailable and 'not reasonably practicable'
  - Objections by the receiving party and waiver
  - Advance rulings as to admissibility
  - Notice requirements and applications

Presented by **Alexander Kuklik**, Barrister, Third Floor Wentworth Chambers



# IN-HOUSE COUNSEL CONFERENCE

13TH ANNUAL

WEDNESDAY, 4 MARCH 2020  
9.00AM TO 5.15PM (AEDT) Live from NSW

\$870  
WEB203N03

Sweeping in scope & formidable in depth, this conference will equip you with the insights you'll be expected to have as your organisation's legal counsel. Catch up on game changing workplace law changes, receive regulatory updates you cannot ignore and gain crucial contract and litigation tactics that will prove vital to your practice, all while gaining your core CPD area points.

## SESSION 1: THE KEY LEGAL ISSUES FOR IN-HOUSE COUNSEL IN 2020

9.00AM - 1.15PM WEB203N03A \$490

Chair: **Blanka Moss**, General Counsel, Schindler Lifts Australia

### Emerging Employment Law Issues for In-House Counsel

- The new whistleblowing policy in practice
  - New corporate reporting obligations and supply chain transparency under the *Modern Slavery Act*
  - Defining a work day: a landmark decision in *Mondelez v AMWU*
- Presented by **David Cross**, Partner, Norton Rose Fulbright; *Best Lawyers* 2019, Labor and Employment Law

### Work Health and Safety Review: Critical New Reforms

- Industrial manslaughter reforms: in-house counsel beware
    - Innocence compliance responses to proposed and current industrial manslaughter laws
  - Mental health risk management in the workplace: potential new procedures and responses to predicted new guidance material or regulations in 2020
- Presented by **Katherine Morris**, Partner, Norton Rose Fulbright; *Best Lawyers* 2019, Occupational Health & Safety Law

### Competition and Consumer Law Update

- The implications of the ACCC's updated immunity policy and whistleblowing tool
  - What the repeal of the IP exemption really means for IP arrangements
  - ACCC hot spots: misleading representations, unfair contracts
  - Proposals for new prohibitions against unfair trading/unsafe goods
  - Cartels: the rise of action against companies and executives
- Presented by **Michael Corrigan**, Partner; *Best Lawyers* 2019, Competition Law, Litigation & Bet-the-Company Litigation; Leading Competition Lawyer, *Doyle's Guide* 2019 and **Stephanie Panayi**, Special Counsel, Clayton Utz

### The Rise in Penalties in Regulatory Proceedings: Lessons for In-House Counsel

- The rise in penalties as a tool for deterrence by regulators
  - The new maximum penalty regime for ASIC and ACCC
  - Recent cases on penalties
  - Navigating AFCA (previously FOSS) complaints
  - Dealing with greater litigation, prosecution and scrutiny post Hayne Royal Commission
    - Increased enforcement efforts & litigation by ASIC & other regulators
    - How to effectively deal with regulators
- Presented by **Robert McGregor**, Partner, HWL Ebsworth; *Best Lawyers* 2019, Litigation

### Contractual Risk: Practical Checklists, Tips & Example Clauses

- Assessing, managing, allocating & mitigating contractual risks
  - Drafting and negotiating warranties and indemnities
  - Drafting caps, limitations of liability, exclusion clauses and other risk provisions
  - Interaction with insurance
  - Checklists, tips and example clauses
- Presented by **Jonathan Stafford**, Partner, DLA Piper

## SESSION 2: CPD COMPULSORY UNITS FOR IN-HOUSE COUNSEL

2.00PM - 5.15PM WEB203N03B \$490

Chair: **Jane Webster**, General Counsel and Company Secretary, Moorebank Intermodal Company

### Professional Skills

#### Legal Professional Privilege: Challenges and Strategies for In-House Counsel

- The legal notion of privilege and the elements for communications to attract privilege
- The difficulties and complexities in identifying these elements for in-house lawyers
- Challenges in respect of privilege for in-house lawyers
  - Close relationships with the executive and management
  - Separating what is a commercial or a privileged communication
- Strategies to attract privilege to communications for in-house lawyers
  - Careful structuring of employment arrangements
  - Reporting lines and establishing systems and protocols
  - Identifying the capacity in which any particular communication is made

Presented by **Luke Buchanan**, Solicitor Director, Buchanan Rees Dispute Lawyers; *Best Lawyers* 2020, Litigation & Class Action Litigation

### Practical Legal Ethics

#### Countering Unconscious Bias, Discrimination and Misconduct

- Meeting your obligations as in-house counsel to deal with unconscious bias
  - Identifying unconscious bias and its impact
  - Improving processes and decision making to address unconscious bias
- Your duties as in-house counsel when facing alleged discrimination and misconduct
  - Navigating the dual role of acting as an investigator and as a legal adviser
  - Legal professional privilege considerations
  - Dealing with hot button discrimination issues and other misconduct

Presented by **Alice DeBoos**, Practice Area Leader - Labor, Employment & Workplace Safety, K&L Gates; *Best Lawyers* 2020, Labour and Employment Law & Occupational Health & Safety Law; Preeminent Employment Lawyer (Employer Representation), *Doyle's Guide* 2019

### Practice Management or Business Skills

#### A Guide to Litigation for In-House Counsel: Getting there Efficiently

- A guide to legal project management for litigation
- Implementing responsive and cost-effective solutions
- Using technology in litigation to reduce costs
- Practical insights for effectively navigating investigations and disputes
- Dealing with the drain on internal resources and management of costs

Presented by **Susan Bennett**, Principal, Sibenco Legal & Advisory

## 7 ATTEND THE FULL DAY AND EARN

4 CPD units in Substantive Law  
1 CPD unit in Practice Management or Business Skills

1 CPD unit in Practical Legal Ethics  
1 CPD unit in Professional Skills



## CPD COMPULSORY UNITS: OVER LUNCH, OVER 3 WEEKS

17 FEBRUARY, 24 FEBRUARY, 2 MARCH 2020 \$395  
1.00PM TO 2.00PM (AEDT) Live from NSW WEB202N01

You run a busy practice. We understand. You also need your CPD compulsory units. We get it. That's why we've come up with this convenient, efficient and practical lunchtime web series where you can acquire your CPD compulsory units and bolster your practice, all from the comfort of your home or office, all while hearing from esteemed experts and engaging speakers.

### MONDAY, 17 FEBRUARY 2020

1.00PM - 2.00PM WEB202N01A \$155

#### Practical Legal Ethics

##### Privilege: A Fresh Approach

Legal professional privilege is one of the most important issues facing a lawyer. The rules are complex, and change regularly. A strong understanding of privilege, how it works, and how it can be inadvertently lost, are all critical skills of the in-house or external lawyer.

- A refresh on the law of privilege as it exists today
- The special issues facing the in-house lawyer
- Hints and traps relating to how key documents are handled
- How you can lose privilege in a document inadvertently
- How privilege can be maintained when disseminating a privileged document within a corporate group

Presented by **Peter Butler AM RFD**, Partner, Herbert Smith Freehills; *Best Lawyers 2020*, Alternative Dispute Resolution, Class Action Litigation, Litigation, Product Liability Litigation

### MONDAY, 24 FEBRUARY 2020

1.00PM - 2.00PM WEB202N01B \$155

#### Practice Management or Business Skills

##### People Skills and Communicating to Effectively Manage Clients

- How to perfect your people skills
- The ins and outs of great communication
- Tips and tricks from the field
- Managing difficult clients

Presented by **Nicole Armstrong Lourenco**, Managing Director, Family Therapist, Counsellor, Family Dispute Resolution Practitioner, The Relationship Practice NSW

### MONDAY, 2 MARCH 2020

1.00PM - 2.00PM WEB202N01C \$155

#### Professional Skills

##### Making a Deal: Negotiation Skills

- What makes a good outcome?
- How best to get there?
- The value of the 'why' question
- Some real life examples

Presented by **Alan Limbury**, Negotiator; Specialist Accredited Mediator; NMAS Accredited Mediator and Arbitrator; Managing Director, Strategic Resolution; Leading Mediator, *Doyle's Guide 2019*

REGISTER FOR JUST THE 1-HOUR LUNCHTIME SESSIONS THAT MATCH YOUR INTERESTS OR BOOK ALL 3 AND SAVE!

### 3 ATTEND ALL THREE AND EARN

- 1 CPD unit in Practical Legal Ethics
- 1 CPD unit in Practice Management or Business Skills
- 1 CPD unit in Professional Skills



## LITIGATION ISSUES FOR ALL GOVERNMENT LAWYERS

THURSDAY, 5 MARCH 2020 \$490  
9.00AM TO 1.15PM (AEST) Live from QLD WEB203Q04

As a government lawyer you may not litigate all day but that doesn't mean you aren't dealing with matters in dispute, appeals of decisions or being required to prepare public sector witnesses. So what exactly do government lawyers need to be aware of should the need arise? The ethical parameters of the Model Government litigant; preparing public sector witnesses and government privilege and immunities obligations. Hear from an outstanding panel of speakers on the absolute red flags if you get caught up in litigation.

Chair: **Aaron Guilfoyle**, Work Health and Safety Prosecutor, Queensland Government

#### Practical Legal Ethics

##### The Model of a Modern Government Litigant

- Expectations following the Banking Royal Commission
- What justifies a requirement for government to litigate differently?
- What does being a modern model litigant require?
- Why does it matter and what can go wrong?

Presented by **Matt Black**, Barrister, Quay 11 Chambers

#### Practical Legal Ethics

##### Bound by Ethics: The Model Litigant as Prosecutor

- What it means to be fearless but fair; questions raised in a high profile case
- Ethics of presenting the case
- The prosecutor's role in sentencing
- Prosecutors as Ministers of Justice?

Presented by **Alan MacSporran QC**, Chairperson, Crime and Corruption Commission

#### Professional Skills

##### Preparing Public Sector Witnesses Required to Give Evidence: Guidance and Advice

Guide to best practices for preparing a public sector witness to give evidence before:

- A court
- A Royal Commission
- The Ombudsman or other integrity body
- Parliament

Presented by **Patrina Clohessy**, Deputy Crown Solicitor and Chief Counsel and **Amanda Meisenhelter**, Assistant Crown Solicitor, Crown Law Queensland

#### Professional Skills

##### Understanding and Working with Privileges Applying to Government

- Issues with legal professional privilege for government
- Public interest immunity

Presented by **Ian Bloemendal**, Partner, Clayton Utz

#### Practice Management & Business Skills

##### Procurement of Government Legal Services: Managing and Minimising External Legal Costs

- Managing external legal expenditure in a cost conscious environment
- Working with external legal providers to manage expenditure and expectations
- Evaluating performance
- Costs recovery in civil litigation

Presented by **Maira Tucker**, Director, Advice & Litigation, In-house Legal, DNRME

### 4 ATTEND AND EARN

- 1.5 CPD units in Practical Legal Ethics
- 1 CPD unit in Practice Management or Business Skills
- 1.5 CPD units in Professional Skills



# INTELLECTUAL PROPERTY CONFERENCE

8TH ANNUAL

TUESDAY, 10 MARCH 2020  
9.00AM TO 5.15PM (AEDT) Live from NSW

\$870  
WEB203N11

With so many recent developments in IP law you cannot afford to miss this jam packed conference. Explore updates covering the significant changes resulting from the repeal of s51(3) of the *Competition and Consumer Act* and other legislative changes affecting patent law and trade mark law. Delve into the most important recent IP cases and gain a copyright update. Attend the full day to earn your compulsory CPD units with unique sessions designed especially for IP lawyers.

## SESSION 1: IP UPDATE

9.00AM - 1.15PM WEB203N11A \$490

Chair: **Paul Green**, Chief Patent Counsel, Resmed; Leading In-House Intellectual Property and TM Lawyer *Doyle's Guide 2019*

### Trade Mark and IP Licensing Update

- Brands and trade marks: recent cases and developments
- Hot topics: recap on maintaining valid trade marks, intragroup IP licensing and common directors acting with 'unity of purpose,' IP and online platforms
- Drafting tips, impact of legislative changes and proposed reforms

Presented by **Alison Jones**, Senior Associate, Corrs Chambers Westgarth

### Competition and Intellectual Property Law: The Future Together!

- The tension between IP and competition law
- Assessing competition law risks in IP licensing arrangements
- Cartels and exclusive dealing provisions
- The impact the repeal of s51(3) will have on commercialisation of IP

Presented by **Donna Short**, Partner, Addisons; Recommended Non-Contentious Intellectual Property Lawyer, *Doyle's Guide 2019*

### Further Changes to Australia's Patent Landscape

- IP Laws Amendment Bill (Part 2): What impact will it have?
  - Life after innovation patents :some tips
  - The objects clause: Can we trust the Patent Office?
  - Section 40(3A) challenges: the new ground for attack
  - Inventive step test deferred but...
- Brief review of recent cases such as *Sequinom* and *Seiko*

Presented by **Robert Wulff**, Principal, Griffith Hack

### Software Patents

- Discussion of the recent Full Court decision in *Encompass Corporation Pty Ltd v InfoTrack Pty Ltd* [2019] FCAFC 161
- Implications for two other significant cases currently before the Court
- The future of software patents in Australia more generally
- Comparison with US and European jurisprudence

Presented by **Angus Lang**, Barrister, Tenth Floor, Selborne/Wentworth Chambers; Leading Intellectual Property Junior Counsel, *Doyle's Guide 2019*

### Copyright Law Update

- Artificial intelligence & source code
- *The University of Sydney v ObjectiVision*
- Fair use: Where are we at?
- Remedies: refresher on injunctive relief

Presented by **James Lawrence**, Partner, Mills Oakley; Recommended Contentious Intellectual Property Lawyer, *Doyle's Guide 2019*

## SESSION 2: CPD COMPULSORY UNITS FOR IP LAWYERS

2.00PM - 5.15PM WEB203N11B \$490

Chair: **Cecilia Suatan**, Senior Legal Counsel - IP & Commercialisation, Cochlear; Leading In-House Intellectual Property and TM Lawyer *Doyle's Guide 2019*

### Ethics and Professional Responsibility

#### Subpoenas, Discovery and Privilege in IP Disputes

- Meaning and scope of possession, custody and control
- Test relating to privilege and waiver of privilege
- Ramifications of not complying with discovery orders and subpoenas

Presented by **Gabriella Rubagotti**, Barrister; Recommended Intellectual Property Junior Counsel, *Doyle's Guide 2019* and **Megan Evetts**, Barrister (Reader), Nigel Bowen Chambers

### Professional Skills

#### Using Technology to Better Manage IP Portfolios

- Solving problems in portfolio management
- Searching and watching
- Prosecution
- Infringement
- Commercialisation
- Legal technologies available
- Short case study on watching

Presented by **Frances Drummond**, Partner, Norton Rose Fulbright

### Practice Management or Business Skills

#### Tips for Building and Enhancing Your Practice as a Trusted IP Adviser

- All professionals serve clients: barristers, law firm principals, solicitors, in-house counsel
- Business development = client/customer service = goodwill = future work
- All of us benefit from trying different approaches practising our skills and techniques to improve performance
- Key themes and top tips from years of experience

Presented by **Odette Gourley**, Partner, Corrs Chambers Westgarth; Recommended Contentious Intellectual Property Lawyer, *Doyle's Guide 2019*

*Very informative and educational*

*Pitched at good level of detail & demonstrated in depth knowledge & experience*

## 7 ATTEND THE FULL DAY AND EARN

4 CPD units in Substantive Law  
1 CPD unit in Practice Management or Business Skills

1 CPD unit in Practical Legal Ethics  
1 CPD unit in Professional Skills



THURSDAY, 12 MARCH 2020  
9.00AM TO 5.15PM (AEDT) Live from NSW

\$870  
WEB203N14

Don't miss this year's forum on contract disputes and termination, and how to avoid such conflict by drafting a bullet proof contract in the first place. Plus, should things turn sideways despite best efforts, this conference will give you the knowledge to navigate any issues involving enforcing unsigned contracts, online contracting, disputes resolution clauses, termination, damages and more.

## SESSION 1: CONTRACTS: DISPUTES AND TERMINATION

9.00AM - 1.15PM WEB203N14A \$490

Chair: **Gregory Martin**, Principal, Martin Bullock Lawyers; Lecturer, University of Western Sydney

### Enforcing Unsigned Contracts: When is an Unsigned Contract Enforceable?

- *Masters v Cameron*: 4 standard situations and recent cases
- Enforcing Letters of Intent, Heads of Agreement and Memoranda of Understanding
- Conduct of parties is critical
- Authority of agents including lawyers to bind principals
- Relevance of past performance
- Special rules for deeds
- Some common situation and how to deal with them

Presented by **Christopher Freeman**, Barrister, Culwulla Chambers

### Online Contracting and Cross-Border Disputes

- E-contracting and electronic signatures
- Dealing with web-based standard contracts
- Anticipating cross border disputes: the importance of considering the law and jurisdiction of a contract
- Conflict of laws and enforcement: international contracting
- Securitisation in an international context
- Cultural awareness in negotiations

Presented by **Joern Schimmelfeder**, Principal, JSTTEC Legal

### Contract Disputes and Dispute Resolution Clauses: Managing the Dispute and Choosing the Appropriate Forum

- How to choose the appropriate dispute resolution method
  - Arbitration (domestic and international)
  - Expert determination
  - Alternative dispute resolution
  - Litigation
- Arbitration clauses: their effect and enforceability
- Are there limitations on the subject matter of arbitral disputes?
- ADR, expert determination, arbitration or litigation

Presented by **Suzy Madar**, Partner, King and Wood Mallesons

### Terminating Contracts

- What are the differences between express rights and a general right?
- How do you give effective notice?
- What if the termination is not justified?
- Losing the right to terminate: the importance of election and delay
- What are the consequences of termination?
- Claiming damages after termination
- Some practical tips for effective exercise of termination rights

Presented by **Tim Atkin**, Partner, Maddocks

### Damages for Expectation Loss and/or Reliance Loss

- Expectation loss or reliance loss?
- *Civil Liability Act* factors
- Calculating future economic loss: Where do you draw the line?
- What categories of loss are recoverable, or are not recoverable?
- Recent case studies regarding damages

Presented by **Michelle Painter SC**, Nine Selborne Chambers

## SESSION 2: KEY CONTRACTUAL CONSIDERATIONS

2.00PM - 5.15PM WEB203N14B \$490

Chair: **Josephine Brook**, Special Counsel, Clayton Utz

### Shifting Liability and Risks: Indemnities, Liabilities, Exclusion Clauses and Consequential Loss

- Contractual mechanisms to transfer risk
- Limits on the application of indemnity provisions
- Clarity in the operation of exclusion clauses
- Consequential loss and why you might exclude it
- Consistent messages from the courts for contract drafters
- Example clauses: what you want, and don't want, in your contract

Presented by **David Jury**, Partner, HWL Ebsworth

### IP and Confidentiality Clauses in Contracts

- Relevant subject-matter
- Rules of ownership
- Assignment of IP
- Express or implied licence of IP
- Confidentiality vs privacy

Presented by **Dianne Beer**, Special Counsel, Thomson Geer

### Statutory Intervention in Contract Law: Unfair Terms and Unconscionable Conduct

- The philosophy underlying statutory intervention
- When a term will be regarded as 'unfair'
- What is the ACCC's enforcement approach?
- The factors that influence a determination of unconscionable conduct under the ACL
- The available remedies

Presented by **Bridie Nolan**, FCIArb, Barrister & Arbitrator, 12 Wentworth Selborne Chambers



# GAME OF DRONES: CRITICAL REGULATORY, RISK AND LIABILITY ISSUES

FRIDAY, 13 MARCH 2020 \$490  
9.00AM TO 1.15PM (AEST) Live from QLD WEB203Q14

In the new world of drones and advancements of drone capability, this is a program you don't want to miss. Join CASA and drone law leaders as they discuss key industry developments and provide practical insights into flight rules, commercial drone use, regulatory obligations, privacy issues and safety risks.

Chair: **Kevin Bartlett**, Consultant, Sparke Helmore Lawyers; *Best Lawyers 2020, Aviation Law*

## Operating a Drone in the New Environment: Private and Commercial Use of Drones

- Flight rules
  - Model aircraft
  - Private use of a drone
  - Commercial use of a drone
- Pilot licensing
- Putting it into context: Australia vs international view

Presented by **Peter Axelrod**, Special Counsel, Meridian Lawyers; *Best Lawyers 2020, Aviation Law*

## Cyber Security and Drones: Critical Legal Issues

Examine the critical cyber security legal issues in the use of drones, including how data stored on drones can be accessed.

Presented by **Jodie Burger**, Special Counsel, Corrs Chambers Westgarth

## Drones and Privacy: Implications and Compliance

- Current privacy implications and privacy liability issues for drone operators
- The tapestry of common law, equitable, and statutory actions that create privacy obligations and risk
- Obligations relating to data collected from drone footage: Privacy and surveillance law restrictions

Presented by **Alex Hutchens**, Partner, McCullough Robertson; *Best Lawyers 2020, Information Technology Law and Telecommunications Law*

## Effectively Dealing with Regulatory Issues

- Airspace integration and Unmanned Traffic Management (UTM)
- Drone registration and accreditation
- Beyond visual line of site (BVLOS) operations and approvals
- Drone verification, airworthiness and reliability

Presented by **Joe Urli**, President, Australian Certified UAV Operators Inc, Rio Tinto Chief Remote Pilot and former Director of Policy and Government Relations for Airobotics

## ★ INSIGHTS FROM CASA

### Contemporary Issues in the Safety Regulation of Drones

- Current requirements, recent and imminent changes
- Jurisdictional challenges and inter-governmental coordination
- Comparative considerations and international developments: Good, better and best practice

Presented by **Jonathan Aleck**, Executive Manager, Legal & Regulatory Affairs, CASA

**4** ATTEND AND EARN

4 CPD units in Substantive Law



# FAMILY LAW DRAFTING INTENSIVE

TUESDAY, 17 MARCH 2020 \$490  
9.00AM TO 1.15PM (AEDT) Live from VIC WEB203V13

This previously sold out seminar will allow you to examine three of the most critically important areas of family law practice. With practical guidance, useful drafting examples and real world scenarios, you will master your drafting techniques and strategies for binding financial agreements, interim spousal maintenance and parenting applications, and complex consent orders and child support agreements.

Chair: **Peter Szabo**, Director, Peter Szabo Family Law

## Understanding the Elements of a Binding Financial Agreement: Steps to Precision Drafting

- Tips and traps in drafting agreements
- When is the Court likely to set aside an agreement?
- Recent case developments and scenarios and how they impact what you should and shouldn't include in your agreements
- Have the amendments to s90G made any real difference in practice and in interpretation?
- A guide to avoiding drafting errors and strengthening your BFA drafting

Presented by **Paul Fildes**, Principal, Taussig Cherrie Fildes Family Lawyers; Preeminent Family & Divorce Lawyer, *Doyle's Guide 2019* and **Johannes Schmidt**, Barrister, *Foley's List*

## Step by Step Guide to Drafting Interim Spousal Maintenance and Parenting Applications

- Identifying common problems and how to deal with them when they arise
- Tips and traps: what you need to avoid or include in your applications to find success
- Review of recent decisions and analysis of the implications for your drafting strategies
- Practical examples and lessons to implement into your practice

Presented by **Celia Conlan**, Barrister, *Holmes List*

## Drafting Complex Consent Orders and Child Support Agreements

- Identifying and avoiding drafting errors
- Ensuring your orders and agreements are enforceable
- When can Consent Orders or a Child Support Agreement be set aside?
- Common scenarios and key takeaways

Presented by **Monica Blizzard**, Principal Solicitor, KHQ Lawyers: Accredited Family Law Specialist; Recommended Parenting & Children's Matter Lawyers *Doyle's Guide 2019*

**4** ATTEND AND EARN

4 CPD units in Professional Skills



# FILM AND TV CONFERENCE: KEY CONTENT AND PRODUCTION ISSUES

**SOLD OUT**  
in September so  
don't miss this one!

TUESDAY, 17 MARCH 2020  
9.00AM TO 5.15PM (AEDT) Live from NSW

\$870  
WEB203N21

This popular biannual event brings together renowned film and industry panel of industry experts to explore some of the most current and key film and television law issues. Split into two practical sessions, the morning focuses on key legal industry issues and the afternoon examines international production issues with a practical workshop exploring scenarios from production and distribution perspectives.

## SESSION 1: KEY LEGAL ISSUES IN FILM AND TV

9.00AM - 1.15PM WEB203N21A \$490

Chair: **Theo Dorizac**, Senior Legal Counsel, Special Broadcasting Service (SBS)

### Defamation: Managing Potential Defamatory Content

- War stories and 'what if' scenarios

Presented by **Robert Todd**, Partner, Ashurst; Leading Technology, Media & Telecommunications Lawyer and Recommended Contentious Intellectual Property Lawyer, *Doyle's Guide 2019*; *Best Lawyers 2019*, Defamation and Media Law, Entertainment Law and Information Technology Law

### Clearances and Compliance in a Global Market

- Complexity for obtaining clearance for certain jurisdictions
- Compliance with local/international privacy/data protection laws
- Practical approach to trade mark clearances/protection
- Other practical hints and tips for clearances and compliance

Presented by **Gary Rogers**, Solicitor - Director, Blueprint Law and **Ted Cawrey**, Solicitor-Director, Blueprint Law

### Current Workplace Issues in the Screen Industry

- Refresher on the Australian Industry Code of Practice: Discrimination, Harassment, Sexual Harassment & Bullying (the 'Code')
- Complaint handling under the Code: practical tips
- Are contestants employees? implications of the decision of *Prince v Seven Networks (Operations) Limited* [2019] NSWSC 313
- Does the Code apply to contestants?

Presented by **Amber Sharp**, Partner, Bartier Perry Lawyers; Recommended Employment Lawyer, *Doyle's Guide 2019*; *Best Lawyers 2019*, Labour and Employment Law

### Importing Overseas Cast and Crew: What You Need to Know About the Temporary Activity (subclass 408) Visa

- Core eligibility requirements
- External consultation process
- Compliance considerations

Presented by **Cherie Wright**, Special Counsel, Fragomen; Accredited Immigration Law Specialist; *Best Lawyers 2019*, Immigration

### Should I Insure and What to Insure

- Insurance for productions explained: Film Pack Insurance, Essential Element (Key Person), Film Producers Indemnity (FPI/ Cast), Errors & Omissions, Defamation, Public Liability, Travel, Personal Accident, Workers Compensation and Business Risk insurance
- What is covered, what policy limits you should request
- Insurance for contractors, freelancers
- Information required by insurers and brokers and disclosure obligations
- What is typically excluded under insurance?
- Making a claim
- Industry war stories

Presented by **Steve Rosser**, Special Counsel, Blueprint Law and **Danielle Manton**, Senior Account Manager, Austbrokers SPT

## SESSION 2: INTERNATIONAL PRODUCTION ISSUES AND SCENARIO WORKSHOP

2.00PM - 5.15PM WEB203N21B \$490

Chair: **Georgina Waite**, Head of Business Affairs, Australian Broadcasting Corporation

### Dealing with International Partners on Film and TV Productions

- Treaty vs non-treaty: the pros and cons of a treaty co-production
- Points, financing, budgets
- Legal requirements and obligations of treaty co-productions
- Advance and final rulings
- Gallipoli clause
- Underlying rights, spin-offs etc
- General contract clauses for co-productions
- Managing rights, cashflow, currency and delivery
- Financing with international distributor partner vs pre-selling rights and territories
- Recoupment and net profits

Presented by **Jenny Lalor**, Principal, Lalor Law Pty Ltd

### Working with International Partners Workshop

A workshop on working with international partners with scenarios from Drama, Comedy, Kids and Film, providing perspectives of producers, broadcasters, Screen Australia and distributors.

Moderator: **Georgina Waite**, Head of Business Affairs, Australian Broadcasting Corporation

Panelists:

**Georgina Waite**, Head of Business Affairs, Australian Broadcasting Corporation

**Jenny Lalor**, Principal, Lalor Law Pty Ltd

**Amy Noble**, Director of Business Affairs and Legal, Fremantle (TV producer)

**Colleen Champ**, Co-Production Unit, Screen Australia

**Rebecca Hardman**, Head of Legal and Business Affairs (Australia), See-Saw Films

**Gillian Clyde**, Legal and Business Affairs Executive, Beyond International

## PANEL DISCUSSION

### Key Industry Issues, Priorities and Perspectives

A panel discussion on some key issues, priorities and perspectives impacting the Film and TV Industry.

Moderator: **Grant McAvaney**, Head of Disputes & Litigation Legal, Australian Broadcasting Corporation (ABC)

Panelists:

**Emren Kara**, General Counsel, Stan

**Tasha Smithies**, Senior Litigation Counsel, Network Ten Pty Ltd

**Lyn Kemmis**, Senior Legal Counsel, Special Broadcasting Service (SBS)

**7 ATTEND THE FULL DAY AND EARN**

7 CPD units in Substantive Law



# NOT FOR PROFITS AND CHARITIES: THE CURRENT LEGAL ISSUES

TUESDAY, 17 MARCH 2020 \$490  
9.00AM TO 1.15PM (AWST) Live from WA WEB203W16

A panel of experts in the not-for-profit and charities sector, including the Assistant Commissioner and General Counsel of the ACNC, will offer focused and practical guidance on important new legislation and key issues in the area. Gain an in-depth understanding of important regulatory issues, employment and contract issues, and company structures of not-for-profit organisations.

Chair: **Leanne Bishop**, Partner, O'Sullivan Partners

## ★ INSIGHTS FROM THE ACNC

### Regulatory Compliance: Charitable Fundraising and Governance for NFP Boards Post the Public Inquiry under the *Charitable Fundraising Act 1991* (by Honourable Patricia Anne Bergin SC)

- Current issues for NFPs and charities
- Whistleblowing
- Fundraising regulation: proposed changes
- Governance: current best practice for NFPs and charities
- What to do if you are handed a 'Please Explain' letter from the ACNC

Presented by **Anna Longley**, Assistant Commissioner, General Counsel, Australian Charities and Not-for-Profits Commission

### Managing Volunteers in NFPs: Essential Tips and Answering the Difficult Questions

- Do you need a contract?
- Do you need to provide induction?
- Can you fire a volunteer?
- Liability issues you must consider

Presented by **Maria Saraceni**, Barrister, Francis Burt Chambers

### Philanthropy in Action

- Soliciting income
- Legal requirements around confirming gifts in wills/bequests
- Corporate philanthropic agreements vs MOUs

Presented by **Tori Anderson**, Director Philanthropy and Enterprise, Anglicare WA

### Winding up NFPs and Mergers and Amalgamations in the NFP Sector

- Reasons for an NFP coming to an end
- Methods of winding up and process/requirements
- Distribution of surplus assets
- Mergers and amalgamations:
  - Key considerations
  - Structures and options
- Other options for working with third parties eg partnerships and consortiums

Presented by **Emma Chinnery**, Special Counsel, Jackson McDonald



# PRIVACY AND DATA SECURITY WORKSHOP

WEDNESDAY, 18 MARCH 2020 \$490  
2.00PM TO 5.15PM (AEST) Live from QLD WEB203Q18

This practical workshop covers the essentials you need to know in order to be protected from both a technical and legal perspective. Our expert workshop facilitators will engage in worked examples of privacy and data security of involving case studies and more. Don't wait to learn from your mistakes. Attend here and learn now. When the real thing happens you will know exactly what action to take.

Chair: **Ray Marshall**, Senior Associate, Thomson Geer

## ⚙️ PRACTICAL WORKSHOP

### Eligible Data Breaches under the *Privacy Act*: Laws and Regulations

- Outline of eligible data breach provisions
- Latest statistics from the Privacy Commission on the latest data breaches

### Eligible Data Breach Process and Response

- What is an 'Eligible Data Breach'?
- Notification obligations following breach: What are the rules and do you have to notify in all cases?
- Making an assessment: What information do you need and who should you involve?
- Suitable preparation: What should you include in your data breach response plan?

### How to Prevent an Eligible Data Breach

- Lessons to be learnt: practical steps to minimise risk to your organisation
- Best practice
- Liability of directors
- Carrying out security and privacy risk assessments to minimise the occurrence or impact of a breach
- Dealing with the financial and reputational impact

### Practical Examples, Exercises and Case Studies

- A practical workshop covering the essentials you need to know in order to be protected from both a technical and legal perspective
- What to do to ensure compliance with legislation/regulation
- Advice to ensure you or your clients don't breach directors duties
- Hear tips and tricks from four experienced practitioners whose advice goes hand in hand

Workshop facilitators:

**Bill Singleton**, Partner, HWL Ebsworth

**Malcolm McBratney**, Partner, Mills Oakley

**Nicole Murdoch**, Managing Partner, Eaglegate

**Ray Marshall**, Senior Associate, Thomson Geer

## 4 ATTEND AND EARN

4 CPD units in Substantive Law

## 3 ATTEND AND EARN

3 CPD units in Substantive Law





WEDNESDAY, 18 MARCH 2020  
9.00AM TO 5.15PM (AEDT) Live from NSW

\$870  
WEB203N22

Gain insights and practical guidance to ensure you're up to date on the latest cases and strategies from a stellar line-up of leading family law practitioners, all while gaining your CPD compulsory units.

## SESSION 1: PROPERTY AND PARENTING UPDATES

9.00AM - 1.15PM WEB203N22A \$490

Chair: **Melinda Winning**, Partner, Barkus Doolan Family Lawyers; Accredited Specialist in Family Law; Leading Family & Divorce Lawyer and Parenting & Children's Matters Lawyer, *Doyle's Guide 2019*

### Analysis of Recent Family Law and Property Division Cases

Gain a valuable up of the most recent, significant cases and trends from the Family Court of Australia and Federal Circuit Court on property and financial settlements and relevant legislative amendments.

Presented by **Neil Jackson**, Barrister, Culwulla Chambers

### What the Family Court Doesn't Realise about Unrealised Tax Liabilities and What you Should Know

- Franking credits and retained profits: an asset or liability and what to do
- Div 7A loan agreements: Do they make future tax liabilities invisible in Family Law matters?
- Can you 'value' an unrealised capital gains tax liability and should it be recognised by the Family Court?

Presented by **Nick Gaudion**, Director Forensic Accounting, Cutcher & Neale

### Tax Implications for Property and Financial Settlements

- Third party loans and the ability of the Family Court to make orders to transfer tax debt (or other debts): *Commissioner of Taxation v Tomaras*
- Div 7A impacts of financial settlements
- CGT and Stamp Duty exemptions
- Small business restructuring: alternatives to family law rollover

Presented by **Chris Ardagna**, Partner - Tax Consulting, Pitcher Partners

### Applications for Interim Financial Relief

- Jurisdiction and power of the court to make orders for interim financial relief
  - Spouse maintenance
  - Child support departure
  - Partial property settlement/ costs orders/ litigation funding
- Properly gathering evidence in support of your client's application including practical hints and tips when drafting financial statements and affidavits in support
  - Considering other litigation tools available to ensure the necessary evidence is before the court

Presented by **Collette McFawn**, Partner, Lander & Rogers; Accredited Specialist in Family Law; Leading Family & Divorce Lawyer and Recommended Family Lawyer (High-Value & Complex Property Matters), *Doyle's Guide 2019* and **Skye Owen**, Lawyer, Lander & Rogers

### Is the Sperm Donor a Parent?

In this session you will explore the legal parentage implications following the High Court decision of *Massons and Parson*.

Presented by **Michelle McMahon**, Barrister, 6 St James Hall Chambers

## SESSION 2: CPD COMPULSORY UNITS FOR FAMILY LAWYERS

2.00PM - 5.15PM WEB203N22B \$490

Chair: **Helen Ede**, Principal, Ede Family Law; Accredited Specialist in Family Law

### Professional Skills

#### Family Law Arbitration on the Move

Delve into the best strategies and practices to achieve a positive outcome for your client in family law arbitration matters.

Presented by **The Hon Peter Rose AM QC**, former Justice of the Family Court; Mediator and Arbitrator; Adjunct Professor University of Sydney Law School

### Practice Management or Business Skills

#### Costs in the Family Court of Australia

- Recent Full Court decision of *Sfakianakis* in relation to costs in family law proceedings
- Solicitor and client regime: What disclosure is adequate under the Uniform Law?
- Solicitor limitation period to seek an assessment: recent changes and where you can come unstuck

Presented by **Kerrie Rosati**, Principal DGT Costs Lawyers; Court Appointed Costs Assessor Queensland

### Practical Legal Ethics

#### Ethical Responsibilities When Your Clients Turn Up with Suspicious Documents

- Privileged, but otherwise accessible because of the location in the home, or the joint computer, post separation
- Obtained from the other spouse's inbox/mobile phone post separation
- Documents which would arguably form part of the other party's disclosure but which a party has accessed and provided to the lawyer
- Collected via surveillance mechanisms: recent cases
- What to do when your client provides to you a bundle of recorded communications with the other party and his/her lawyer and ethical and legal obligations

Presented by **Jacqueline Dawson**, Solicitor Director, Sexton Family Law; Accredited Specialist in Family Law; Recommended Parenting & Children's Matters Lawyer, *Doyle's Guide 2019*

## 7 ATTEND THE FULL DAY AND EARN

4 CPD units in Substantive Law  
1 CPD unit in Practice Management or Business Skills

1 CPD unit in Practical Legal Ethics  
1 CPD unit in Professional Skills



# MIGRATION LAW SYMPOSIUM

THURSDAY, 19 MARCH 2020

9.00AM TO 5.15PM (AEDT) Live from NSW

\$870

WEB203N27

Mastering the gamut of migration legislation, case law and the government's approach to decision making isn't easy. The road to visa approval, refusal and review is littered with exhausted and frustrated applicants and their representatives. Attend this conference to uncover some of the migration law mysteries shrouded in legalities, complex procedures and delay. Plus attend and earn the mandatory CPD points for business and practice management, ethics and professional skill designed with migration practices in mind.

## SESSION 1: CPD COMPULSORY UNITS FOR IMMIGRATION LAWYERS AND MIGRATION AGENTS

9.00AM - 12.45PM

WEB203N27A

\$490

Chair: **Rola Hijwel**, Principal, Hijwel Migration Lawyers; Accredited Specialist in Immigration Law

### Professional Skills

#### The Practicalities of Running an AAT (MRD) Appeal

- Pre-application: to appeal, or not to appeal, that is the question
- Application: when, where, how much, with what
- Preparation for the hearing: files and evidence
- The hearing: Lee Kwan Yew meets Sun Tzu
- Post hearing: it's never too late

Presented by **Simon Jeans**, Principal, Jeans Lawyers, Accredited Specialist in Immigration Law

### Business and Practice Management for Migration Practices

#### Let's Get with the Times: Building a Digital Footprint and Navigating the Online Space to Build Your Brand and Attract Your Ideal Clients

- Why digital marketing is necessary for your business's long term growth and sustainability
- The marketing bundle for your business: the essentials to building an online presence
- Strategy, website, content, social media, and clients: mapping it out
- The future of marketing for lawyers and migration agents
- DIY vs hiring a marketing expert: when to hire and when to DIY

Presented by **Simran Singh**, Principal, LegalStudio

### Ethics

#### Professional Misconduct and Ethical Issues in Migration Law

- Engaging a client: obligations under the Code of Conduct
- What documents and information do you provide in your standard contract?
- How to identify a high-risk client
- Managing risk in multi-stakeholder engagements

Presented by **Alex Kaufman**, Head of Migration, FCB Smart Visa

## SESSION 2: KEEPING UP TO DATE WITH CURRENT MIGRATION PRACTICE

1.30PM - 5.15PM

WEB203N27B

\$490

Chair: **Kathryn Viegas**, Director, Nomos Group, Accredited Specialist in Immigration

## FAMILY VISAS, SCHEDULE 4020, PARTNER VISAS AND HEALTH ISSUES

### Family Visas: Difficult Issues

- Temporary and permanent parent visas
- Visas for dependent children's
- Carer visas
- Aged dependent relatives and remaining relative visas

### Schedule 4020, Partner Visas and Health Issues

- PIC 4040: identity, bogus documents and incorrect information to a material particular and the waiver provisions
- PIC 4007: health criteria and waiver and discussion about the new policy
- How to deal with the challenges that arise from 4020 and 4007

Presented by: **Peter Bollard**, Senior Consultant and **Gareth Lewis**, Principal Solicitor, Lewis & Bollard

### Skilled Migration, Independent and Sponsored Visas

- TSS Subclass 482 visas
  - Employer sponsored visas
  - Subclasses 189 and 190 visas
  - Update on how the new skilled regional provision visa is working
- Presented by **Ladan Omidvar**, Solicitor and Registered Migration Agent, Playfair Visa and Migration Services

### The Enhanced Integrity Act and its Naming and Shaming Provisions

- Department of Home Affairs and the Australian Border Force; an overview
- Subclass 457/482 Visa program sponsorship obligations
- Enhanced Integrity Act and the Minister of Home Affairs power to publish information about approved sponsor /former sponsor
- Data Matching Protocol between the Department of Home Affairs and the ATO
- Regulatory compliance in the age of data sharing and analytics: what are the implications for employers/sponsors and immigration advisors?

Presented by **Maria Jockel**, Legal Principal and National Leader, Migration Services, BDO Migration, Accredited Specialist Immigration Law, Best Lawyers 2020 Immigration

APPROVED

MIGRATION AGENTS CAN EARN 4 CPD POINTS, INCLUDING 1 ETHICS POINT

MARA APPROVAL NUMBERS  
3 CPD POINTS CN91  
1 MANDATORY CPD POINT SM390

## 7 ATTEND THE FULL DAY AND EARN

4 CPD units in Substantive Law  
1 CPD unit in Practice Management or Business Skills

1 CPD unit in Practical Legal Ethics  
1 CPD unit in Professional Skills



# SMSFS: THE A-Z OF LEGAL ISSUES

TUESDAY, 24 MARCH 2020 \$490  
9.00AM TO 1.15PM (AEDT) Live from NSW WEB203N31

When you deal with SMSFs there are many tips and tricks that can improve your practice and ensure that your clients are in the best legal position possible. Be guided through the process of managing the death of an SMSF member, learn strategies about contributions and explore SMSF property syndicates.

Chair: **Dr Christopher Birch SC**, 8th Floor Garfield Barwick Chambers; Recommended Wills & Estates Litigation Senior Counsel, *Doyle's Guide* 2019

### All About Contributions

- The basics: super guarantee, concessional, non-concessional contributions
- The downsizer contribution
- Carry forward contributions
- Spouse contributions, contributions splitting
- Small business retirement exemption
- Potential issues

Presented by **Simon Robinson**, Financial Adviser, RSM Financial Services Australia

### SMSF Property Syndicates

- Investing in a unit trust
- In-house asset rules
- Unrelated parties 'exception'
- Un-gearred trust exception
- Non-arm's length income rule and fixed trusts

Presented by **James Meli**, Practice Leader, LegalVision

### Powers of Attorney and SMSFs

SMSFs remain valuable investment structures but what happens when a member or trustee (including a director of a trustee) loses capacity or moves overseas. Explore the importance of enduring powers of attorney (EPOA) and succession for SMSFs including:

- Section 17A of the *SIS Act* and EPOAs
- The ATO's SMSF Ruling 2010/2
- The decision in *Narumon*
- Misconception that the executor of the estate appointed under the will (always) becomes the trustee of the SMSF
- The decision of *Dawson v Dawson*
- Practical tips to safeguard the succession and control of SMSF from challenges

Presented by **Lisa To**, Partner, Bartier Perry Lawyers

### A Step by Step Guide to Managing the Death of an SMSF Member

- What, whom, when and how to notify
- Payment of super death benefits
- Taxation of super death benefits
- Corporate trustee vs individual trustees
- Multi member vs sole member SMSF
- Issues to watch out for

Presented by **Brian Hor**, Special Counsel, Superannuation & Estate Planning, Townsends Business & Corporate Lawyers



# TRUSTS AND DEEDS ADVANCED REVIEW

TUESDAY, 24 MARCH 2020 \$490  
2.00PM TO 5.15PM (AEDT) Live from NSW WEB203N32

Gain insight into the complex issues of trusts and deeds in this high level afternoon review. Hone your skills so that you are prepared for the issues your clients might face. Discover what can possibly go wrong, so that you are prepared for any eventuality. Hear about the latest developments in case law and what they mean for your practice. Get practical tips on tax disputes and learn how to make the most of trust structures and asset protection. You will walk out the door with practical and tangible skills to ensure your practice is ready for anything.

Chair: **Michael Bersten**, Barrister, New Chambers

### Recent Trusts Cases and Developments

All the latest cases and developments and how to prepare your practice for their impact.

Presented by **Talitha Fishburn**, Barrister, Wardell Chambers

### Trust Structures and Asset Protection

- Documenting the purpose of the trust
- Financial abuse risk and trustee controller succession
- The importance of Trustee independence
- Offshore connected beneficiaries

Presented by **Michael Perkins**, TEP, Special Counsel, Practitioner Member, Academic Community of the Society of Trust and Estate Practitioners (STEP)

### Taxing Trusts: Where to From Here? Practical Tips and Traps

- A brief history of 'entity taxation' and 2011 tax reform promises
- Our complicated system
- Why ATO administration does not help
- The significance of the RMIT Report
- Future reforms?

Presented by **Ken Schurgott**, Solicitor Director, Schurgott & Co Lawyers

### Trust Disputes: A Case Study Approach

- Tax dispute practice and procedure: Federal Court vs AAT considerations
- The 7 steps involving a taxation dispute between a taxpayer and the ATO
- Examines the events in a tax dispute in a case study involving a trustee
- How best to assess the client's tax risk and resolve the dispute

Presented by **Brett Young**, Barrister, State Chambers

*These speakers are the best & most knowledgeable in trust & tax*



## PPSA UPDATES AND STRATEGIES

WEDNESDAY, 25 MARCH 2020 \$490  
9.00AM TO 1.15PM (AEDT) Live from NSW WEB203N37

Don't let complex PPSA issues trip you up. Are you aware of all the latest updates? Attend to hear carefully selected topics from expert practitioners who will focus your attention on the big PPSA issues that you need to know to keep your clients and your practice at the cutting edge.

Chair: **Ian Davidson SC**, Eighth Floor, Selborne Chambers

### PPSA: Some Current and Obscure Issues

- Partial removal of Security Interest
- Update of current position with PPSR leases
- Recent decisions
- Consignments under the PPSA

Presented by **Simon Della Marta**, Partner, Poinon Partners, Sydney

### PPSA Proposal for Reform Recommended by the Whittaker Report

Overview of key proposed changes in the following specific areas:

- Collateral classes
- PPSA leases
- Accounts receivables

Presented by **Nino Di Bartolomeo**, Partner, Norton Rose Fulbright

### PPSA: Seven Years Since the Act's Commencement

- When is a PMSI, a PMSI?
- Update on extension of time applications (section 588FM and section 293)
- Vexatious registrations: security interests granted by the Federal Court of Australia
- Proper characterisation of transactions/dealings & the PPSA taking free provisions
- Is extension of time relief necessary for security interests granted post-administration?

Presented by **Christopher Athanassios**, Principal, Miller & Prince Lawyers; author, *PPS in Practice*, Thomson Reuters Australia

### PPSA: A Practical Guide to Conducting (or Dealing With) a Security Review When the Corporate Grantor is Insolvent

- Tips on undertaking a security review when acting for an administrator, receiver or liquidator
- Common actual or potential defects in the registration of security interests to watch out for
- Other practical issues encountered including with retention of title clauses and PPS leases
- Errors that can (and cannot) be potentially remedied after the commencement of administration or liquidation

Presented by **Heather Sandell**, Special Counsel, Baker McKenzie



## CONTRACT LAW MASTERCLASS

THURSDAY, 26 MARCH 2020 \$490  
9.00AM TO 1.15PM (AEDT) Live from VIC WEB203V31

With contracts lying at the very heart of both the commercial and legal spheres, it's critical that you hone your knowledge, skills and strategies in this area. There's no better way to perfect your abilities when working with contracts than to attend this practical masterclass.

Featuring a renowned specialist in the field, Jeffrey Goldberger will walk you through precisely what you need to know to elevate your practice. From taking a deep dive into the hottest issues and cases impacting contract law to working through real world examples to providing you with precedents, examples, case law and analysis, you'll walk away with insights and tools to implement in your practice.

### Session 1: Contract Law in the Cases: The Year in Review

Consider key recent cases and issues in contract law that practitioners should have on their radar.

- The principles of contract interpretation in Australian Law
- Statutory unconscionable conduct in commercial transactions
- Forms of authority and the principles of agency
- Loss of opportunity damages in contract and tort

### Session 2: Indemnities: Legal Principles and Drafting Issues

Take a deep dive into indemnities, the related legal principles, and important drafting considerations to keep in mind.

### Session 3: The Implication and Incorporation of Contractual Terms

Round out the program with an insightful look at the key principles and the latest case law in this important area of contracts.

Presented by **Jeffrey Goldberger**, Special Counsel, Norton Rose Fulbright

*Jeffrey Goldberger is contract law specialist with over 25 years' experience in the Australian legal sector who is a recognised authority on Australian contract law. In 2012 Jeffrey served on the then Federal Attorney General's Expert Panel on the effectiveness of Australian contract law. Jeffrey formerly lectured in contract law, commercial law and private international law at the University Of Sydney Law School.*

This is what past participants say about the Contract Law Masterclass:

“Very polished performer/instructor who makes a very technical subject matter so much easier to understand. Excellent. Please keep this one as an annual presentation”

“Absolutely flawless. An expert in his field”

#### 4 ATTEND AND EARN

4 CPD units in Substantive Law

#### 4 ATTEND AND EARN

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



# DIRECTORS & OFFICERS: KNOW THE DUTIES

THURSDAY, 26 MARCH 2020 \$490  
9.00AM TO 1.15PM (AEDT) Live from NSW WEB203N39

With directors increasingly being personally 'on the hook', you should consider attending this timely seminar. Protect your clients, your organisation or yourself by keeping up to date on the latest obligations related to work health and safety, indemnities and insurance, director's duties and more.

Chair: **Michael Rozdal**, Consulting Principal, Keypoint Law; Accredited Specialist in Commercial Litigation; *Best Lawyers 2020*, Insolvency and Reorganisation Law

## Practical Legal Ethics

### Ethics and their Role in Providing Legal Services

- Community expectations as the new benchmark for legal compliance
- The impact of the regulation of conduct on culture
- How board behaviour will need to change

Presented by **Pauline Vamos**, Director, The Banking and Finance Oath; Immediate past CEO, The Association of Superannuation Funds Australia

### Directors' Duties in Practice

- Defining a 'director' or 'officer': tricky grey areas
- Are duties owed to particular stakeholders?
- Current issues coming before the courts

Presented by **Robert Boadle**, Barrister, Nigel Bowen Chambers

### Work Health and Safety Obligations for Directors and Officers

- An outline of the primary duties imposed on officers under WHS laws
- Who is an 'officer' under WHS laws?
- What is safety 'due diligence'?
- What impact will 'industrial manslaughter' amendments have on officer duties?
- Recent case law and developments

Presented by **Trent Sebbens**, Partner, Ashurst

### Indemnities and Insurance for Officers in the new Regulatory Environment

- New focus on leadership, governance and culture
- Insuring human behaviour
- Deeds of indemnity: which indemnities are up for negotiation, and which are not?
- The relationship between deeds of indemnity and D&O insurance
- Available insurance protection and how competition is changing coverage
- Examples where costs are not covered
- What happens when you leave office? Are you still insured and for how long?

Presented by **Ray Giblett**, Partner; *Best Lawyers 2013-2019*, Insurance Law, Alternative Dispute Resolution and Litigation and **Timothy Chan**, ANZIIF (Aff) CIP, Associate, Norton Rose Fulbright Australia



# SHAREHOLDER AGREEMENTS WORKSHOP

THURSDAY, 26 MARCH 2020 \$490  
2.00PM TO 5.15PM (AEDT) Live from NSW WEB203N40

By popular demand, our shareholder agreements workshop is back, offering a highly interactive and informative workshop session on shareholder agreements including practical worked examples. In addition, consider critical tax issues and structuring. Don't miss this highly regarded half-day seminar to pick up the skills you'll need to master shareholder agreements from beginning to end.

Chair: **Peter Chapman**, Solicitor Director, Ecovis Australia Law; Accredited Specialist in Business Law

## PRACTICAL WORKSHOP

### Structuring Entities

- Structuring of companies and business entities
- Governance and control of the entity
- Financing of an entity's business objectives
- Determination of that entity

### Drafting Shareholder Agreements

- Drafting shareholder agreements to facilitate all of the above with the intent of minimising and managing future disputes
- An informal workshop demonstrating the practical application of those principles

Presented by **John Graves**, Principal, Bradfield & Scott Lawyers; Accredited Specialist in Business and Property Law and **David Perkins**, Consultant, Bradfield & Scott Lawyers

### Tax Structuring

Tax implications of structuring corporate and group entities including:

- CGT
- Income tax

Presented by **Tim Lyford**, Director of Tax, Bentleys

*Engaging presenters and very practical examples.*

*Well presented, excellent materials, concise and straight to the point.*

## 4 ATTEND AND EARN

3.5 CPD units in Substantive Law  
0.5 CPD units in Practical Legal Ethics

## 3 ATTEND AND EARN

3 CPD units in Substantive Law



## MEDIATION MASTERCLASS: POSITIVE RESULTS FOR PLEASED CLIENTS

THURSDAY, 26 MARCH 2020 \$490  
2.00PM TO 5.15PM (AEDT) Live from NSW WEB203N42

Featuring renowned barrister Paul Sills, this workshop will enable you to take a deep dive into the mediation stumbling blocks as you work through practical real world examples and develop insights and tools to implement in your practice. Hear how to maximise the benefits of mediation and explore different high level strategies, styles and techniques. This masterclass is specifically tailored for you to refine your approach to disputes to deliver positive results for your clients.

### WORKSHOP

#### The Initial Stages: How to Approach a Mediation

##### Mediation: The Roles of the Lawyer and Mediator

Effective mediation requires preparation and constructive guidance by each lawyer and the mediator. The role of those professionals is fundamental to enhancement of the mediation for the benefit of the parties. You will explore the practical performance of those roles.

##### Mediation Advocacy: You're Not in Court, So Don't Act Like You Are

- Getting the mindset right: compromise vs all or nothing approach
- Understanding and managing litigation risk
- Managing client expectations

#### The Concluding Stages: Ethical Dilemmas and Settlement Agreements

##### Ethical Issues in Mediation: Conflict, Greed and Moral Morasses

The ethics of the informal and client-driven process of mediation are as real and important as the ethics of the formal and judge-driven process of the courtroom.

- Analysis of how ethics applies generally in mediations
- The scope of the duties to keep the client appraised and to act in good faith

Overcoming ethical challenges in mediation while achieving successful outcomes

##### Drafting Impeccable Settlement Agreements

- The merits of judgments and orders by consent or an inter parties agreement
- Issues about estoppel and res judicata
- What does without admissions mean?
- What effect does the dismissal of proceedings have?
- Challenges to settlement agreements
- Deeds of settlement including the role of recitals and the effect of releases
- Costs

Presented by **Paul Sills**, Barrister and Mediator

*Paul Sills is a barrister with over 20 years' experience working in global litigation markets. Paul is also an accomplished business leader, having been involved in a diverse range of companies as CEO or director. Paul has been engaged in mediations both as a legal advisor and as a client since 1995 and as a mediator since 2010. These have included multi-parties and complex issues. As a barrister Paul maintains both an active commercial litigation practice and a comprehensive mediation practice.*



## FRANCHISING LAW FORUM: CRITICAL LESSONS AND KEY CHANGES

THURSDAY, 26 MARCH 2020 \$490  
2.00PM TO 5.15PM (AEST) Live from QLD WEB203Q31

Franchising in Australia is one of the most dynamic business sectors in the economy and staying up to date and adapting to change has never been more crucial. You'll hear from leading franchising practitioners as they analyse the key changes in response to the Inquiry's Recommendations and provide strategies on how to effectively give advice about an agreement and resolve disputes.

Chair: **Simone Pentis**, Managing Director, Advantage Partners Lawyers

### Critical Franchising Update

Examine the Franchising Inquiry's recommended changes including:

- Advice to franchisors:
  - Suggested amendments to precedent franchise agreements and what they will mean for practitioners
  - The impact on franchise agreements signed before the recommended changes are implemented
- Advice to franchisees:
  - Amendments to the franchisee's request in franchise negotiations in light of the recommended changes
  - How the recommended changes may impact rights and obligations under existing agreements

Presented by **Elizabeth Gore-Jones**, Principal, The Franchise & Business Lawyers

### How to Give Franchisees Legal Advice about a Franchise Agreement: A Practical Guide

The Australian franchise sector is arguably the most heavily regulated in the world. Not only will many prospective franchisees be first-time business owners, but this will often be their first experience with franchising. Practitioners must ensure that advice provided on a Franchise Agreement is commercially practical and gives a franchisee awareness of the Franchising Code of Conduct.

- Identifying whether a Disclosure Document is current and legally compliant
- The right of cooling-off, its exceptions and the consequences
- The link between a Franchise Agreement's term and entitlement to goodwill of the business
- The restrictions a franchisee will generally face regarding products, services and suppliers
- A franchisor's rights to terminate a Franchise Agreement, which are generally non-reciprocal
- The restrictions on selling the franchised business
- The consequences of termination or expiry of the Franchise Agreement
- Explaining post-term restraint of trade clauses
- What must be done if a dispute arises
- Ensuring franchisees understand personal guarantees and other forms of security

Presented by **Luke McKavanagh**, Associate, Stone Group Lawyers

### Creation of Better Dispute Resolution Processes in Franchising

- How to improve the process of dispute resolution
- Binding arbitration with capacity to award remedies, compensation, costs
- A guide to undertaking multiple resolutions as a group where appropriate

Presented by **Bill Morgan**, Consultant, Morgan Mac Lawyers

### 3 ATTEND AND EARN

3 CPD units in Competency Area 2: Professional Skills

### 3 ATTEND AND EARN

3 CPD units in Substantive Law



# TOTAL PERMANENT DISABILITY (TPD) AND LIFE INSURANCE INJURY CLAIMS

THURSDAY, 26 MARCH 2020 \$490  
9.00AM TO 1.15PM (AEDT) Live from NSW WEB203N41

Develop cutting edge strategies to this burgeoning area of personal injury law. Gain essential information regarding policies, contracts, and insurance payments. You'll also delve into the medical perspective with two highly regarded specialists in the field. Attend this seminar and maximise your success in this area. Don't risk the potential consequences if you don't.

Chair: **Scott Holmes**, Barrister, Jack Shand Chambers

## Navigating Section 54 Insurance Contracts Act and Disability Policies

- Understanding the purpose of s.54 and its application by guided case reviews
- Applying the principles of s.54 to disability policies with working examples
- Identifying potentially far reaching consequences of s.54

Presented by **Colin Purdy**, Barrister, Edmund Barton Chambers

## Non-Disclosure and Misrepresentation in Life Insurance

- An overview of the law under the *Insurance Contracts Act*, pre and post 28 June 2014
- An analysis of some of the existing controversies in the provisions of the legislation
- How non-disclosure and misrepresentation applies to life insurance contracts held under group superannuation policies

Presented by **Valerie Heath**, Barrister, Maurice Byers Chambers

## Tax, Super and Centrelink Implications After Insurance Payment

- Understanding how payments will be taxed and which strategies can minimise or defer tax
- How payments interact with the claimant's super balance and the strategies available to ensure optimal outcomes
- Learn about the impact of a payment and how to protect entitlements
- Tips for lawyers guiding their clients once a claim has been approved

Presented by **Jane Campbell**, Principal, Aeran Pty Ltd

## The Banking Royal Commission: What it Means for Superannuation Insurance Claims by injured Consumers

- The important role of TPD and income protection insurance within superannuation for workers with injury and illness, and the legal issues to be aware of with these claims
- Commissioner Hayne's recommendations on superannuation and insurance, which, if implemented, should improve consumer's legal rights for decades to come, particularly regarding claims handling and remedies for non-disclosure

Presented by **Craig Parrish**, Senior Associate & NSW State Litigation Leader, Superannuation & Insurance, Maurice Blackburn Lawyers

## THE MEDICAL PERSPECTIVE

### Professional Skills

#### An Overview of Neuropsychology and Psychiatry in TPD

- Assessment of cognitive impairment in the context of evaluation of TPD
- Separating organic from non-organic presentations
- Predicting recovery
- Emergency service workers

Presented by **Dr Jane Lonie**, Clinical Neuropsychologist and **Dr Leon Turnbull**, Psychiatrist

## 4 ATTEND AND EARN

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



# STARTING A NEW LAW FIRM

TUESDAY, 31 MARCH 2020 \$490  
9.00AM TO 1.15PM (AWST) Live from WA WEB203W46

Starting your own firm is no easy task, especially when you need to decide on your approach to strategy, pricing, management, technology and employment practices. Take a half day to explore the strategies adopted by successful business leaders and legal experts and gain tactics to confidently establish and lead your firm into the future.

Chair: **John Poulsen**, Principal, People Passion Performance; Former Managing Partner and CEO of Squire Patton Boggs

## Technology and the Modern Practice of Law

- Legal technology
- Cybersecurity and data governance
- Automation

Presented by **Marco Marcello**, Manager of Information Systems, Lavan

## Getting it Right from the Beginning: Workplace Wellbeing

- Workplace wellbeing: why it matters
- Working collaboratively to take a preventative approach to workplace wellbeing
- Strategies for supporting employees experiencing mental health conditions

Presented by **Nikita Barsby**, Senior Associate and Lauren Wright, Law Graduate, MDC Legal

## How to Manage and Lead Your Firm into the Future

There is more to starting a law firm than just being a great lawyer. Managing and leading a law firm requires good practice management. Rhea Wood will discuss the day to day essentials that you need to consider in order to shape your firm, including:

- How to maximise efficiency through well-defined operations and processes
- The 'behind the scenes' essentials of legal administration and management
- The benefits of proactive project management and importance of managing change

Presented by **Rhea Wood**, Legal Practice Manager, Tottle Partners

## Productise and Profit: Strategies to Build a Successful Business

When you design products for your customer's needs, sell solutions instead of time, and systemise service delivery, you will free yourself from the grunt work and build a successful business that lets you spend your time doing the work you love. This 6-step process will teach you to master these skills, teaching you cutting edge strategies and tools to design productised services that your customers will buy. Lucy Dickens will share exactly what productised services are and why you need them in your practice.

Presented by **Lucy Dickens**, Senior Associate, Birman & Ride; Business Coach

## 4 ATTEND AND EARN

4 CPD units in Practice Management or Business Skills

# REGISTRATION FORM / TAX INVOICE

**Hurry Time is Ticking!**

Early Bird Registrations end 24 December 2019

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## BUY MORE AND SAVE!

- 2 half day seminars: \$435 each • 3 half day seminars: \$320 each
  - 4 half day seminars: \$295 each • 5 half day seminars: \$275 each
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Liquor Licensing Reforms	203S01	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	N/A
SA Planning Law Reform	203S02	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Taxes for All Lawyers	203S03	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Workplace Law Forum	203S04	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10 CPD Points in One Day	203S05	\$960	\$870	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: Family, Trusts and Estates Law Roundup	203S05A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: CPD Required Units for All Lawyers	203S05B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Session 3: Property and Commercial Law Roundup	203S05C	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Women in Law: Can I Have it All?	203S07	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advanced Criminal Trial Preparation	203S08	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Personal Injury Roundup	203S09	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CPD Required Units for Litigation Lawyers	203S10	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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SEMINAR NAME	Code	Std. Price	Early Bird	Live online	Recording
CPD Compulsory Units: Over Lunch, Over 3 Weeks	WEB202N01	\$395	N/A	<input type="checkbox"/>	<input type="checkbox"/>
Privilege: A Fresh Approach	WEB202N01A	\$155	N/A	<input type="checkbox"/>	<input type="checkbox"/>
People Skills and Communication to Effectively Manage Clients	WEB202N01B	\$155	N/A	<input type="checkbox"/>	<input type="checkbox"/>
Making a Deal / Negotiation Skills	WEB202N01C	\$155	N/A	<input type="checkbox"/>	<input type="checkbox"/>
Advanced Evidence and Advocacy Masterclass	WEB202N04	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: Mastering the Art of Advocacy	WEB202N04A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: Evidence Masterclass	WEB202N04B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
In-House Counsel Conference	WEB203N03	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: The Key Legal Issues for In-House Counsel in 2020	WEB203N03A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: CPD Compulsory Units for In-House Counsel	WEB203N03B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Litigation Issues For All Government Lawyers	WEB203Q04	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>

SEMINAR NAME	Code	Std. Price	Early Bird	Live online	Recording
Intellectual Property Conference	WEB203N11	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: IP Update	WEB203N11A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: CPD Compulsory Units for IP Lawyers	WEB203N11B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Contract Law Conference 2020	WEB203N14	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: Contracts: Disputes and Termination	WEB203N14A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: Key Contractual Considerations	WEB203N14B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Game of Drones: Critical Regulatory, Risk and Liability Issue	WEB203Q14	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Film and TV Conference: Key Content and Production Issues	WEB203N21	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: Key Legal Issues in Film and TV	WEB203N21A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: International Production Issues and Scenario Workshop	WEB203N21B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Family Law Drafting Intensive	WEB203V13	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Not for Profits and Charities: The Current Legal Issues	WEB203W16	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Privacy and Data Security Workshop	WEB203Q18	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Family Law Conference	WEB203N22	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: CPD Compulsory Units for Family Lawyers	WEB203N22A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: Property and Parenting Update	WEB203N22B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Migration Law Symposium	WEB203N27	\$870	\$770	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: Keeping Up to Date with Current Migration Practice	WEB203N27A	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: CPD Compulsory Units for Immigration Lawyers and Migration Agents	WEB203N27B	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
SMSFs: The A-Z of Legal Issues	WEB203N31	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Trusts and Deeds Advanced Review	WEB203N32	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
PPSA Updates and Strategies	WEB203N37	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Contracts Law Masterclass	WEB203V31	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Directors & Officers: Know the Duties	WEB203N39	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
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Mediation Masterclass: Positive Results for Pleased Clients	WEB203N42	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Franchising Law Forum: Critical Lessons and Key Changes	WEB203Q31	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Total Permanent Disability (TPD) and Life Insurance Injury Claims	WEB203N41	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>
Starting a New Law Firm	WEB203W46	\$490	\$395	<input type="checkbox"/>	<input type="checkbox"/>