

February - March 2021 CPD Program

Trust Summit

Estate Planning Conference

10 SMSF Hours in One Day

Business Advisory: Sales, Acquisitions, Opportunities & Exit Strategies



EARLY BIRD DISCOUNT Register and Pay by 18 Dec 2020 and Save 30% off Everything

TRUSTS SUMMIT 2021

WEDNESDAY, 24 FEBRUARY 2021 >> [CLICK HERE TO REGISTER ONLINE](#)

9.00AM TO 4.15PM AEDT Attend in Sydney or Online

\$525

212AN01

The Trusts Summit 2021 provides you with an indispensable update on all key trusts issues. The morning takes a deep dive into trust rules, exploring Section 100A and trust reimbursement arrangements, CGT and foreign beneficiaries, trust losses and family trust elections. The afternoon focuses on trusts and succession, with testamentary trusts income, succession of family trusts and protecting aged beneficiaries with effective trust deeds. A not-to-be-missed national conference for accountants and advisors.

Chair: **Jennifer Yeo CTA**, Founder and Principal, Evora Legal

COMPLEX TRUSTS RULES: REIMBURSEMENTS, LOSSES, FTEs AND FOREIGN BENEFICIARIES

Section 100A and Trust Reimbursement Arrangements: Key Risk Areas

- What is a 'reimbursement agreement'?
- Exclusions including 'ordinary family or commercial dealings'
- Practical considerations, key risk areas including distributions to non-residents
- ATO guidance on reimbursement agreements

Presented by **Tristan Whitefield**, Director, and **Nathan Greene**, Manager, Private Clients, PwC

Land Trusts, CGT and Foreign Beneficiaries: Traps for the Unwary

- Trustee considerations when distributing to foreign beneficiaries
- Intended operation of Div 855
- Implications of ATO views in TD 2019/D6 & D7
- Federal court decisions in *Greensill* and *N&M Martin Holdings*

Presented by **Vanessa Priest CA**, Partner and **Lynda Rochas CA**, Tax Manager, Baskin Clarke Priest

Trust Loss Rules: Expanding Your Knowledge to Benefit Your Clients

- Distinguishing between fixed and non-fixed trusts
- What are the different trust loss rules and when do they apply?
- Making a Family Trust Election or Interposed Entity Election
- When does Family Trust Distribution Tax apply?
- Capital losses

Presented by **Stuart Le Cornu CTA**, Partner – Tax Advisory, Fordham Group

Family Trust Election Case Studies: Exploring the Who, What, When, Where and Why

- Family trust distributions tax: How does it work? Who is liable and when? Why make a family trust election (FTE)? Eligibility? Family Group? Timing? Benefits and disadvantages? Trustee beneficiary reporting?
- Why make an interposed entity election (IEE)? Which entities are eligible? Timing? Benefits and disadvantages?
- FTEs and the next generation: planning for a family group's future

Presented by **Tony Nunes**, Senior Client Director – Tax Consulting and **Jane Harris**, Manager – Tax Consulting, Kelly + Partners Chartered Accountants

TRUSTS, SUCCESSION AND TAX

Tax Treatment of Testamentary Trust Income: The Changes and their Impact

- What was the tax treatment of testamentary trust income prior to the changes?
- What are the changes and why were they made?
- How do the changes impact the structuring and administration of testamentary trusts?
- Are testamentary trusts still viable?

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

Succession Planning in Family Trusts: From Simple to Bespoke

- Control and why it is important
- Options for dealing with succession to family trusts, from simple to bespoke, including how to deal with blended families
- Trusts, tax and un-blending when dealing with succession planning

Presented by **James Whaley**, Partner, Hall & Wilcox; Recommended Wills & Estates, *Doyle's Guide* 2020 and ranked Chambers High New Worth Guide 2020

Hardwiring Provisions Into Trust Deeds to Protect Aged Beneficiaries

- Examples of where children have misused trust assets
- How trust deeds can be amended to provide protections from financial abuse
- Suggested areas to be controlled to protect the elder clients

Presented by **Clifford Hughes CTA**, Principal, Clifford Hughes & Associates; Accredited Specialist in Tax Law and Business Law; Accredited Specialist in Taxation Law; Accredited Specialist - Business Law (QLD); Accredited Specialist - Wills & Estates (VIC); SMSF Specialist Advisor™

“Excellent topics presented”

“Good to hear some “real” examples from the coal face. Will definitely encourage some of our clients to panic more”

6 ATTEND AND EARN

LEARNING OUTCOMES

- » Gain clarity on reimbursement arrangements, exclusions and risks
- » Reflect on CGT and trust distributions to foreign beneficiaries
- » Refresh your knowledge of complex trust loss rules

- » Explore Family Trust Elections and Interposed Entity Elections and when to make one
- » Hear the changes to taxing testamentary trust income and whether testamentary trusts are still a viable option
- » Learn what you need to consider about family trusts when it comes to succession
- » Understand how to protect elder clients through trust deeds

THURSDAY, 25 FEBRUARY 2021 >> [CLICK HERE TO REGISTER ONLINE](#) \$525
 8.30AM TO 3.45PM AWST Attend in Perth or Online 212AW01

If the uncertainty of the last 12 months has taught us anything, it's that nothing in life is certain but death and taxes. Unlock all the key tax considerations in estate planning whether it involves the family home or the family business. Tackle tax on transfer of property at death. Plus, deal with problems of trusts, foreign beneficiaries and SMSFs. All accountants and advisors will benefit from enhancing their estate planning knowledge, skills and strategies at this annual event.

Chair: **Daniel Fry CA**, Partner, Fry Legal; Preeminent Wills, Estates & Succession Planning Lawyer, 2020; Leading Tax Lawyer WA, *Doyle's Guide 2019*

Chair: **Loreena Gillon**, Director, Arithmos Chartered Accountants

THE KEY ROLE OF THE ACCOUNTANT IN ESTATE PLANNING

LIVE STREAM

Vital Estate Matters to Discuss in Your Annual Review with Clients

- Identifying capacity issues: a burgeoning issue
 - Acting as Power of Attorney: boundaries, conflicts and problems to consider
 - Auditing and administering SMSFs: risks for accountants with individual Trustees
 - Communicating beneficiaries' profile to the estate planning lawyer
 - Identify elder abuse and what action is available to you
- Presented by **Andrew Keay**, Director and Aged Care Specialist, Aged Care Planners

MANAGING DEATH AND TAXES: AVOIDING NIGHTMARES AND ACHIEVING MAXIMUM OUTCOMES

Tax in Estate Planning: Tax Triggers in Wills, Distributions and Estate Administration

- Key intersects between tax and estate planning
 - The benefits of tax effective wills
 - Inter vivos asset distributions versus distribution under a Will
 - Tax triggers during estate administration and planning for them upfront
 - Tips and traps to avoid
- Presented by **Lee-Ann Cartoon**, Principal, Succession Solutions Perth; Tax and Succession Lawyer

Tax Planning for Deceased Estates: The Family Home, Trusts, Super and Foreign Beneficiaries

- Accessing information about the deceased
 - Issues when dealing with the family home
 - What you need to know about testamentary trusts and superannuation proceeds trusts
 - Impact of foreign beneficiaries, executors and assets
- Presented by **Modiesha Stephens CTA**, Director, MS Legal

The Passing of Real Property at Death: A Panel Discussion

- Do you always escape transfer duty (stamp duty)?
- Transfers from: deceased to LPR; LPR to beneficiaries; and testamentary trustee to beneficiaries
- Different strategies for rental properties and family homes
- Joint tenancy vs tenants in common
- Deeds of Family Arrangement: transfer and CGT nightmares
- Transfers between spouses and dealing with second marriages

Panellists:
Richard Norton, Legal Practitioner Director, Deloitte Legal; Leading Tax Lawyer, *Doyle's Guide 2019*
Professor Brett Davies, Partner, Legal Consolidated Barristers and Solicitors
Modiesha Stephens CTA, Director, MS Legal

TAX PLANNING FOR ASSETS OUTSIDE THE WILL

Family Trust Succession Planning for Lovers and Spendthrifts

- Many assets don't go into the Will automatically at death: joint tenancy, superannuation, cross-owned insurance and Family Trust assets (except for loan accounts). Succession planning for the Family Trust is the most challenging.
- What happens when the Appointor dies, gets sick, goes bankrupt (or insolvent if the Appointor is a company) or loses mental capacity?
 - The Appointor is the key role in the trust. This may not be appropriate for the next generation. Who is appropriate to have the power to control the trustee?
- Presented by **Professor Brett Davies**, Partner, Legal Consolidated Barristers and Solicitors

Super and the Estate: The Impact of Super Death Benefits, Transfer Balance Cap and BDBNs

- Super Death Benefits and the Transfer Balance Cap: what to be aware of under the current regime
 - Binding Death Benefit Nomination: What do you need to know to advise your clients?
 - Approaching estate planning differently in a superannuation context
- Presented by **Jemma Sanderson CTA**, Director, Head of SMSF and Succession, Cooper Partners; SMSF Specialist Advisor

Carving up Companies and Trusts: Passing Control of Family Businesses

- Succession of control of companies
 - Strategies for separating assets held by companies and trusts
 - Available rollovers and concessions
 - Duty considerations
- Presented by **Daniel Taborsky CTA**, Director, and Shivani Jethwa, Senior Associate, Birchstone Tax Law

Very relevant and good content

FASEA CPD CATEGORIES
 Estimated 6 CPD units in
 Technical Competence

6 ATTEND AND EARN

LEARNING OUTCOMES

- » Understand why there are estate planning issues you as the trusted advisor need to be raising annually with your clients
- » Identify the key tax triggers in the estate planning and administration process
- » Benefit from best practice tax planning for deceased estates

- » Hear experts discuss passing real property at death and learn the tricks and traps
- » Understand the challenges of planning succession for a family trust
- » Comprehend bringing super into the estate and the complex scenarios that can create
- » Learn how to pass control of family businesses as part of the estate plan

10 SMSF HOURS IN ONE DAY



SMSF Association
Accredited
Educator

Join us in March, July
& November 2021 for a
total of 30 CPD Hours in
just 3 days!

TUESDAY, 23 MARCH 2021 >> [CLICK HERE TO REGISTER ONLINE](#)

7.30AM TO 6.30PM AEDT Attend in Sydney or Online

\$795

213AN01

It's one HUGE day of SMSF critical updates, strategies and best practice. Where else can you claim a whopping 10 specialist SMSF hours in one go? It's all there, all in one day, all straight from leading experts working day in and day out at the coalface of these crucial issues. Get the top legal and accounting advice you would otherwise pay thousands for at this comprehensive, convenient and practical conference.

SESSION 1: SMSF TECHNICAL WORKSHOPS

7.30AM TO 10.30AM AEDT

213AN01A

\$280

Chair: **Sharon Gdanski**, Director – Tax and Advisory, Superannuation, Deloitte

Estimated 1 CPD Hour in Technical Competence

ATO Guidance on NALE: the Practical Implications

- Update on the official guidance from the ATO
- Practical implications on audit activity
- In-house assets, audit activity on special income

Presented by **Alice Kase CTA**, Partner, Private Clients, PwC Australia

Estimated 1 CPD Hour in Technical Competence

Death, Total Permanent Disability and Insurance: Key Considerations & Strategies

- Life Insurance and TPD cover in SMSFs: options, benefits and limitations
- Inside versus outside of super?
- Tax considerations: deductibility and taxation of benefits

Presented by **Mark Wilkinson**, Partner, Superannuation, BDO

Estimated 1 CPD Hour in Technical Competence

LIVE STREAM

Keeping Your Auditor Happy

- That pesky investment strategy: Why all the fuss? What is actually needed?
- The requirement for minutes
- Accounts preparation considerations
- COVID-19 relief documentation
- Early release considerations
- Pension obligations, partial commutation events
- NALE risks to be managed

Presented by **Belinda Aisbett CA**, Director, SuperSphere; SMSF Specialist Advisor™; SMSF Specialist Auditor™

SESSION 2: SMSFS AND REAL WORLD PRACTICE

10.45AM TO 1.45PM AEDT

213AN01B

\$280

Chair: **Andrew Yee**, Director – Superannuation, HLB Mann Judd

Estimated 1 CPD Hour in Professionalism and Ethics

Auditor/Administrator/Accountant: Independence Dilemmas From an Accountant's Point of View

- Restructured APES 110 Code of Ethics from 1 January 2020 and Independence Guide – Fifth Edition May 2020
- Removing the "Chinese Wall"
- Dealing with compliance from a practising accountant's point of view

Presented by **Leanne Tinyow**, Director – Self Managed Super Fund Services, Economos Group; CAANZ SMSF Specialist; SMSF Specialist Advisor™

Estimated 1 CPD Hour in Regulatory Compliance and Consumer Protection

The ATO's Investigatory Powers

- The key principles including The Co-operative Approach
- The scope and limitations of the Access Power and the Notice Power
- Exceptions to the ATO's powers
- What are lemons?

Presented by **John Ebert**, Former Principal Lawyer, General Counsel, ATO

Estimated 1 CPD Hour in Client Care and Practice

6 Member Funds: A Panel Discussion

- Issues caused by having multiple generations in the one fund
- Ensuring trustees are looking after every member of the fund
- Pros and cons from an accounting, administering and financial planning perspective

Panelists:

Julie Taylor CA, Founder and CEO, Keep it Simple Super; SMSF Specialist Advisor

Sheila Cabacungan, Principal Financial Planner and Owner, Wealth Forum; SMSF Specialist Advisor

Matthew Stevenson CA, Strategic Financial Adviser, Matrix Norwest; SMSF Specialist Advisor

SESSION 3: SMSF STRATEGIES AND ADVICE

2.15PM TO 6.30PM AEDT

213AN01C

\$375

Chair: **Russell Reid**, Director, Business Advisory and Superannuation, Nexia Australia and New Zealand

Estimated 1 CPD Hour in Technical Competence

Contributions in the Spotlight: Ensure You and Your Clients Get it

Explore the current state of play and the rules related to getting money into the superannuation system, the limits that apply and the implications for exceeding the caps.

Presented by **Colin Lewis**, Head of Strategic Advice, Fitzpatricks Private Wealth

Estimated 1 CPD Hour in Technical Competence

Investing in SMSFs: Thinking Outside the Box

- Property development or other property investments
- Considerations for other unusual investments
- Structuring when other investors or parties are involved

Presented by **Chantelle Rossiter**, Manager – Business Advisory and Taxation, Hall Chadwick

Estimated 1 CPD Hour in Technical Competence

Financial Stress for SMSF Trustees

- Dealing with compliance issues arising from COVID and market volatility
- Related party leases and LRBA's
- Pensions and retirement planning
- Dealing with ATO

Presented by **Louise Meijer**, Partner – Private Business & Family Advisory, Pitcher Partners

Estimated 1 CPD Hour in Technical Competence

Estate Planning and SMSF Considerations

Examine superannuation and the broader issues from an estate planning angle. Delve into key issues, particularly in relation to SMSF members and practitioners, including beneficiary nominations, the interaction of the transfer balance cap as well as discussing recent & relevant SMSF case law.

Presented by **Graeme Colley**, Executive Manager, SMSF Technical & Private Wealth, SuperConcepts

10 HOURS TOO LONG?

Choose which sessions to do Live, and which to do On Demand, so you don't have to it all in one go.

10 ATTEND AND EARN

LEARNING OUTCOMES

- » Hear the latest ATO guidance on Non Arms-Length Expenses
- » Consider the tax impact of insurance inside and outside an SMSF
- » Understand best practice ways to manage your SMSF with the auditor in mind
- » Discuss the Auditor Independence Guidelines and how to comply in practice
- » Hear pros and cons of 6 Member Funds and tips you should pass on to your clients

- » Consider the ATO's investigatory powers and understand the exceptions
- » Gain insights into the latest developments on contributions and working within the system for maximum results
- » Analyse best practice investing in SMSFs with property and other unusual investments
- » Receive advice for trustees experiencing financial stress and best practice for compliance and dealing with the ATO
- » Take a fresh look at superannuation and estate planning issues that you should be considering

BUSINESS ADVISORY: SALES, ACQUISITIONS, OPPORTUNITIES & EXIT STRATEGIES

WEDNESDAY, 24 MARCH 2021 >> [CLICK HERE TO REGISTER ONLINE](#)

9.00AM TO 5.15PM AEDT Attend in Sydney or Online

\$695

213AN02

The market is moving. Businesses are looking at financing options and acquisition opportunities. Others are seriously looking into the consequences of selling and considering their exit strategies. No matter the position of your client's business, they will certainly want to know how they can consolidate tax, utilise tax losses, maximise concessions and tighten the ship. Be at the forefront of business advice, and get your hands on expert knowledge from top accountants, lawyers and the ATO at this event.

Chair: **Bernadeene Cangelosi**, Partner, KPMG Private Clients and Family Office

BUSINESS TRANSACTIONS AND CRITICAL TAX CONSIDERATIONS

Keynote Address: ATO Audit Outlook for 2021

Presented by **TBC**, Australian Taxation Office

Navigating the Business Sale Process

- Scoping out what a transaction involves
- The due diligence process
- Financial and accounting input into the legal documents and negotiations
- Completion considerations

Presented by **Kristy Dixon**, Partner, Marque Lawyers

Understanding Tax Workstreams Associated with a Transaction

- Understanding the transaction perimeter (structuring)
- Tax due diligence (both vendor and buy-side)
- Tax considerations of sale agreements
- Post transaction implementation

Presented by **James Head**, Partner – M&A Tax, Deloitte

Key Tax Matters in Planning Your Exit Transaction that are Often Overlooked

- Pre-transaction dividends and returns to shareholders
- Commercial debt forgiveness
- Direct value shifting
- Buyer concerns: explaining your effective tax rate
- General integrity measures and potential impact on an exit

Presented by **James Momsen**, Partner, Minter Ellison

CONSOLIDATION, LOSSES AND OPPORTUNITIES TO MAXIMISE TAX REDUCTIONS

Tax Consolidation: Buying and Selling Shares

- Buying shares and tax consolidating
 - Advantages and disadvantages
 - Tax Losses and cost setting
 - Tips and traps
- Selling shares and the exit calculation

Presented by **Sean Urquhart**, Director – Taxation Consulting, Nexia Australia

Utilising Tax Losses to Maximum Benefit

- Recoupment of tax losses
- Temporary loss carry back rules
- Eligibility requirements
- Integrity measures

Presented by **Burton Andrews CTA**, Associate Director, Tax, BDO

Small Business CGT Concessions, Integrity Provisions and Recent Cases: Maximising the Tax Reduction

Whether one is exiting a SME business or restructuring it, there is benefit in exploring the possible application of the small business CGT concessions since their combined operation together with the CGT discount may materially reduce the tax on disposals of business capital assets and sometimes this may be to nil.

Examine:

- The practical operation of the integrity provisions enacted into section 152-10(2) of the *Income Tax Assessment Act 1997* and their impact on the ability to claim the small business CGT concessions, and the strategies aimed at preserving access to the concessions
- Recent case law and thinking surrounding the application of the small business CGT concessions including the Full Federal Court decision of *Eichmann v Commissioner of Taxation* [2020] FCAFC 155 and what constitutes an active asset

Presented by **Dung Lam**, Special Counsel, Coleman Greig; Accredited Specialist in Business and Taxation Law

ALTERNATIVE FINANCING OPPORTUNITIES

Alternative Ways of Financing Business Ventures

- Related-party financing
- Transfer pricing
- Convertible debt
- Tax issues

Presented by **Iain Spittal**, Tax Partner, PKF

FASEA CPD CATEGORIES
Estimated 7 CPD units in
Technical Competence

7 ATTEND AND EARN

LEARNING OUTCOMES

- » Hear what the ATO has its eyes on for 2021 and what your clients will need to know
- » Understand the business sale process holistically and the key role played by the advisor
- » Detail the tax implications in a transaction from structuring through to completion
- » Explore overlooked tax considerations such as pre-transaction dividends, Commercial Debt Forgiveness and value shifting

- » Clarify your knowledge of tax consolidation and buying and selling shares
- » Learn how to maximise on tax losses, understanding the loss carry back rules and the integrity measures
- » Consider the small business CGT concessions and their interaction with the integrity measures
- » Explore alternative ways to finance business ventures and the opportunities that exist

4 SIMPLE WAYS TO REGISTER

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legalwiseseminars.com.au

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PHONE
02 9387 8133

POST
PO Box 971, Bondi Junction NSW, 1355



Hurry Time is Ticking!

Early Bird Registrations end 18 December 2020

YOUR DETAILS

Title First name

Last name

Job title

Organisation

Postal address

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Phone

Mobile

PAYMENT

All prices incl GST. This document will be a tax invoice for GST when fully completed and you make a payment that is under \$1000. Please take a copy for your records. ALL registrations must be paid in full prior to the date of the event.

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SYDNEY VENUE: THE GRACE HOTEL, 77 YORK ST, SYDNEY

SEMINAR NAME	Code	Std. Price	Early Bird	Face to Face
Trusts Summit 2021 >> register online	212AN01	\$525	\$367	<input type="checkbox"/>
10 SMSF Hours in One Day >> register online	213AN01	\$795	\$556	<input type="checkbox"/>
Session 1: SMSF Technical Workshops	213AN01A	\$280	\$196	<input type="checkbox"/>
Session 2: SMSFs and Real World Practice	213AN01B	\$280	\$196	<input type="checkbox"/>
Session 3: SMSF Strategies and Advice	213AN01C	\$375	\$262	<input type="checkbox"/>
Business Advisory: Sales, Acquisitions, Opportunities & Exit Strategies >> register online	213AN02	\$595	\$416	<input type="checkbox"/>

PERTH VENUE: PARMELIA HILTON, 14 MILL STREET, PERTH

SEMINAR NAME	Code	Std. Price	Early Bird	Face to Face
Estate Planning Conference 2021 >> register online	212AW01	\$525	\$367	<input type="checkbox"/>

PLEASE REGISTER ME FOR THESE ONLINE PROGRAMS

SEMINAR NAME	Code	Std. Price	Early Bird	Live online	Recording
Trusts Summit 2021 >> register online	212AN01	\$525	\$367	<input type="checkbox"/>	<input type="checkbox"/>
Estate Planning Conference 2021 >> register online	212AW01	\$525	\$367	<input type="checkbox"/>	<input type="checkbox"/>
10 SMSF Hours in One Day >> register online	213AN01	\$795	\$556	<input type="checkbox"/>	<input type="checkbox"/>
Session 1: SMSF Technical Workshops	213AN01A	\$280	\$196	<input type="checkbox"/>	<input type="checkbox"/>
Session 2: SMSFs and Real World Practice	213AN01B	\$280	\$196	<input type="checkbox"/>	<input type="checkbox"/>
Session 3: SMSF Strategies and Advice	213AN01C	\$375	\$262	<input type="checkbox"/>	<input type="checkbox"/>
Business Advisory: Sales, Acquisitions, Opportunities & Exit Strategies >> register online	213AN02	\$595	\$416	<input type="checkbox"/>	<input type="checkbox"/>

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40	\$2,800	\$70.00
60	\$3,900	\$65.00
100	\$6,000	\$60.00

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TERMS AND CONDITIONS

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BOOKING CODE: 213A AB