

# Complete CPD Guide

**On Demand Recordings**  
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watch today

November 2019 - November 2020



**UNIT DISCOUNTS AVAILABLE** Look on page 44 to find out more

## 10 POINTS

10 Points in One Day Parramatta

10 Points On A Saturday

[> go to 10 Points programs](#)

## BUILDING & CONSTRUCTION

Construction Law Symposium

[> go to Building & Construction programs](#)

## CORPORATE & COMMERCIAL

Quantum Meruit: Navigating Critical Changes

Advanced Commercial Litigation Conference

In-House Litigation: Regulatory Disputes, Damages, Costs & ...

In-House Counsel: CPD Compulsory Units

SMSFs: The A-Z of Legal Issues

Comprehensive Legal Update for Your Commercial Clients

Business Sales: Legal Issues & Skills

Trusts and Deeds Advanced Review

PPSA Updates and Strategies

Directors & Officers: Know the Duties

Demystifying Venture Capital and Private Equity Transactions

Franchising Law: Updates, Disputes & Compliance Obligations

Doing Business with China: Legal Issues

5th Annual Credit Law Conference

5 Skills for the Commercially Minded In-House Counsel

Consumer Law: The New State of Play

Defamation Law Forum

Class Actions: A Comprehensive Guide

Advertising & Marketing Law Conference 2020

[> go to Corporate & Commercial programs](#)

## SKILLS & PRACTICE MANAGEMENT

CPD Compulsory Units: Over 3 Weeks

CPD Compulsory Units for All Lawyers

CPD Compulsory Units: Costs and Billing for All Lawyers

Business Skills for Lawyers

Understanding Financial Reports for Lawyers

[> go to Skills & Practice Management programs](#)

## CRIME

Driving Offences: Major Update

Criminal Law Conference 2020

[> go to Crime programs](#)

## EMPLOYMENT LAW & SAFETY

Workplace Law Symposium: The Crucial Issues of 2020

Your Expert Guide to Discrimination and Adverse Action Claims

[> go to Employment Law & Safety programs](#)

## PLANNING & ENVIRONMENT

Planning, Environment and Development Law Alert

Water Symposium 2020

[> go to Planning & Environment programs](#)

## FAMILY

Family Law Interdisciplinary Issues: Tax, Super and Crime

Family Law Forum: High-Value & Complex Property and ...

Family Law Financial Settlements

Family Law Drafting Intensive

[> go to Family programs](#)

## GOVERNMENT

10 Points in One Day: Government Practice

Government Litigation Review

Effective Decision Making in Public Law

[> go to Government programs](#)

## IMMIGRATION

3 Migration Law Symposium

4 Trade Marks and Patents Conference 2020

[> go to Immigration programs](#)

## INTELLECTUAL PROPERTY

5 Intellectual Property Conference

[> go to Intellectual Property programs](#)

## LITIGATION & DISPUTE RESOLUTION

5 Advanced Evidence and Advocacy Masterclass

6 The Civil Litigator's Toolkit

7 Mediation Masterclass: Positive Results for Pleased Clients

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## PERSONAL INJURY

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10 Compulsory Units for Personal Injury Lawyers

11 Current Concerns in Medical Negligence

11 TPD and Superannuation for Personal Injury Lawyers

12 Civil Claims for Institutional Abuse: Settlements, Stays & Damages

12 Personal Injuries: 3 Strategies to Maximise Damages

13 Worker Compensation and CTP Update

14 [> go to Personal Injury programs](#)

## PROPERTY

15 Property Law Conference

15 A Practical Guide to Critical Conveyancing Issues

16 Retail and Commercial Leasing Fundamentals Workshop

Retail and Commercial Leasing: Current Issues and Concerns

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## WILLS & ESTATES

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18 Family Provision Claims Conference 2020

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## CONTRACTS

19 Contract Law Disputes 2020

20 Contract Law Masterclass: Liability & Risk

[> go to Contracts programs](#)

## LAW FOR NON-LAWYERS

21 Religious Based Institutions: The Legal issues

22 2nd Annual Architects Legal Symposium

[> go to Law for Non-Lawyers programs](#)

## MISCELLANEOUS

22 Liquor and Gaming Law Roundtable 2020

23 Drone Regulation: Risk & Liability

Native Title Intensive

Food Law Conference: Now and Beyond

Health & Life Sciences: Technology & the Law

Not For Profits and Charities Law Forum

Aged Care and Retirement Village Law 2020: The Legal Issues

Medicinal Cannabis: Legal & Business Update

Women in Law: Overcoming Harrassment, Discrimination & Bias

[> go to Miscellaneous programs](#)

## MEDIA & ENTERTAINMENT

27 Film and Television Law Conference: Recovery and Beyond

28 Media Law Conference

[> go to Media & Entertainment programs](#)

## TERMS AND CONDITIONS

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## 10 POINTS IN ONE DAY IN PARRAMATTA

RECORDED IN FEBRUARY 2020 IN NSW  
UP TO 10 CPD UNITS [>click here to see online](#)

\$960  
OND202P01

In its 7th year, the Parramatta 10 Points in One Day Program offers you insights from the industry's front-line practitioners. You don't have to travel to the CBD to gain updates in all the current topics and achieve your compulsory CPD units. Attend the full program or choose only the sessions most relevant to your practice.

## SESSION 1: STREAM A: PROPERTY LAW UPDATES

3 CPD UNITS OND202P01A \$405

Chair: **Peter Rosier**, Principal, Rosier Partners

## Retail and Commercial Leasing Review

Presented by **Andrew Grima**, Principal Lawyer, Coleman Greig Lawyers

## Conveyancing and Strata Law Update

Presented by **Ian McKnight**, Partner, Sarvaas Ciappara Lawyers

## Property Law Rundown: the Rest of the Developments you Need to Know

Presented by **Ian Dunwoodie**, Principal, Dunwoodie Legal

OR

## SESSION 1: STREAM B: WILLS AND ESTATES AND FAMILY LAW ROUNDUP

3 CPD UNITS OND202P01B \$405

Chair: **Karen Conte-Mills**, Barrister, Arthur Phillip Chambers

## Estate Disputes Case Law Update: Key Decisions

Presented by **Dr Hayley Bennett**, Barrister, New Chambers; Recommended Wills & Estates Junior Counsel, *Doyle's Guide* 2018

## Professional Skills

## Taking, Recording and Retaining Instructions for Wills

Presented by **David Liebhold**, Barrister, 13 Wentworth Chambers; Recommended Wills & Estates Junior Counsel, *Doyle's Guide* 2018

## Professional Skills

## Discovery and Disclosure in Family Law

Presented by **Maureen de Vere**, Barrister, Lachlan Macquarie Chambers; Recommended Family Law Junior Counsel, *Doyle's Guide* 2018

## Family Law Case Review: Issues Impacting Your Practice

Presented by **Andrew Givney**, Barrister, Lachlan Macquarie Chambers

## SESSION 2: CPD COMPULSORY UNITS FOR ALL LAWYERS

3 CPD UNITS OND202P01C \$405

Chair: **Elizabeth Picker**, Barrister, Edmund Barton Chambers

## Professional Skills

## Business Succession Planning from a Lawyer's Perspective

Presented by **Phillip Brophy**, Senior Commercial Lawyer, Matthews Folbigg Lawyers

## Ethics &amp; Professional Responsibility

## Your Duties to Your Client, the Court and the Profession as an Advocate

Presented by **John Shaw**, Barrister, Lachlan Macquarie Chambers

## Practice Management and Business Skills

## 2020: Practice Management in the Digital Age

Presented by **Katherine Hawes**, Principal, Digital Age Lawyers

## SESSION 3: STREAM A: COMMERCIAL LAW ROUNDUP

4 CPD UNITS OND202P01D \$490

Chair: **Steven Brown**, Chairman, Etienne Lawyers

## Professional Skills

## Transactional Contract Drafting Skills

Presented by **José de Ponte**, Partner, DLA Piper

## IP Lessons for Non-IP Lawyers: Sales, Purchase and Restructure

Presented by **Sonal Moore**, Principal, Moore and Moore IP

## PPSA War Stories: 5 Short Case Studies

Presented by **Karen Fairbairn**, Partner, HWL Ebsworth Lawyers

## Employment Law Update

Presented by **Dimitry Leahy**, Special Counsel, Colin Biggers & Paisley

OR

## SESSION 3: STREAM B: LITIGATION SKILLS, PERSONAL INJURY, DISPUTES AND CONTRACTS

4 CPD UNITS OND202P01E \$490

Chair: **Gregory Martin**, Partner, Martin Bullock Lawyers

## Personal Injury Update

Presented by **Daniel Hanna**, Barrister, Lachlan Macquarie Chambers

## Contract Law Disputes Update

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

## Professional Skills

## Litigation Practice and Skills Update

Presented by **Nicholas Simpson**, Barrister, 13th Floor St James Hall Chambers

## Misleading and Deceptive Conduct in Commercial Disputes

Presented by **David Turner**, Lawyer, Assured Legal Solutions

## 10 ATTEND THE FULL DAY AND EARN

6 CPD units in Substantive Law  
1 CPD unit in Practice Management & Business Skills

1 CPD unit in Ethics & Professional Responsibility  
2 CPD units in Professional Skills

# 10 POINTS ON A SATURDAY

RECORDED IN MARCH 2020 IN NSW

UP TO 10 CPD UNITS [>click here to see online](#)

\$960

OND203N19

Looking for the only way to get all your CPD points in one go without having to take time out of the work week? In court or simply too busy to take a day off for CPD? This program is designed for you to give you the crucial updates you need at a time convenient for you (or your boss).

## SESSION 1: FAMILY LAW, WILLS AND ESTATES & INSOLVENCY UPDATE

3 CPD UNITS      OND203N19A      \$405

Chair: **Geoffrey Underwood**, Barrister, Sixth Floor Selbourne Wentworth Chambers

### Latest Developments in Wills and Estate Disputes

Catch up on some of the hottest trends shaping wills and estates disputes, including the most significant cases and developments that you need to know now.

Presented by **Margaret Pringle**, Barrister, Chalfont Chambers

### Recent Developments in Family Law

- Binding Financial Agreements: post *Thorne & Kennedy*
- Who is a parent? What do we get from the High Court's decision in *Massons & Parsons*?
- Other significant cases

Presented by **Chris Dimock**, Principal, Dimocks Family Lawyers

### Bankruptcy and Insolvency Roundup for All Practitioners

Dive into some of the most significant issues arising in bankruptcy and insolvency matters and understand how to apply their lessons to your matters.

Presented by **Colin Brown**, Partner, O'Neill Partners

## SESSION 2: CPD COMPULSORY UNITS FOR ALL LAWYERS

3 CPD UNITS      OND 203N19B      \$405

Chair: **Alan McMurran**, Principal, AM Legal Solutions

### Practice Management & Business Skills

#### Dealing with Difficult People and Behaviours at Work

- Managing up and sideways
- Conflict between colleagues
- Responding to bullying

Presented by **Christa Ludlow**, Principal Consultant, Weir Consulting

### Ethics and Professional Responsibility

#### Costs Disclosure Before Settlement: Ethics and Professional Negligence

The Legal Profession Uniform Law requires that you disclose costs before settlement.

- Failure to disclose has 4 unpleasant consequences for lawyers:
  - The lawyer's costs agreement is void
  - Client need not pay the lawyer's legal costs until they have been assessed, at the lawyer's cost
  - The lawyer must not commence or maintain proceedings to recover the legal costs until they have been assessed, at the lawyer's cost
  - It may constitute unsatisfactory professional conduct or professional misconduct—and in the case of solicitors, by any principal of the law practice
- An alternative to the Denuto Principle when making costs disclosure
- How to make costs disclosure easy while complying with professional obligations

Presented by **Philippe Doyle Gray**, Barrister, 8 Wentworth Chambers

### Professional Skills

#### Effective Dispute Resolution in Practice

- Do you hate mediations? How to put your frustrations with the process to good use
- Choosing the best dispute resolution process for your matter, and how to get the timing right
- Tips on dealing with high conflict participants

Presented by **Mary Rebehy**, Barrister and Mediator, Lachlan Macquarie Chambers

## SESSION 3: PROPERTY AND COMMERCIAL LAW ROUNDUP

4 CPD UNITS      OND203N19C      \$490

Chair: **Peter Hegarty**, Principal, Hegarty Legal

### Perfecting Insurance and Indemnity Clauses in Commercial Contracts

- Allocating risk in commercial contracts
- Contractual devices to avoid or minimise liability
- Effective indemnity clauses
- Key insurance provisions
- Interaction between insurance and indemnities

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

### Property Law Update: Latest Trends and Impacts on Your Practice

- Strata law update
- Leasing update
- Conveyancing update
- Defective building work: new developments and impacts

Presented by **Mark Bonanno**, Senior Lawyer, Inner West Council

### 5 IP Questions Your Commercial Clients Will Ask

- What is IP and why do I need to care about it?
- How do I protect my IP?
- 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 **Thomas Johnston**, Associate, Dentons

### Currents Issues in Employment Law

- Casual employment: issues with entitlements and 'double dipping' after *Workpac v Skene*
- 'Free speech' and employer's codes of conduct after the *Banerji* and *Folau* cases, and pending 'freedom of religious expression' legislation
- The ever-expanding net of liability for underpayments: vulnerable workers, the Fair Work Ombudsman and the media

Presented by **Shawn Skyring**, Principal, Coleman Greig Lawyers

## 10 ATTEND THE FULL DAY AND EARN

7 CPD units in Substantive Law  
1 CPD unit in Practice Management & Business Skills

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Professional Skills

# CONSTRUCTION: DUTIES AND DISPUTES

RECORDED IN NOVEMBER 2020 IN NSW \$295  
2 CPD UNITS [>click here to see online](#) OND2011N10

New legislation such as the *Design and Building Practitioners Act 2020* and new ways of looking at the *Home Building Act 1989* are the hot issues in construction law right now. This useful seminar brings together experts in the residential building field to provide a timely update to the issue of Work Orders vs Monetary Claims under the *Home Building Act*, including strategies for NCAT disputes and an in depth look at major changes to duties owed by builders, designers and others.


Chair: **Frank Hicks SC**, Greenway Chambers; Leading Construction & Infrastructure Senior Counsel, *Doyle's Guide 2020*

## Opening Address: Insights with Regards to Home Building Act Disputes

 Presented by **Kim Rosser**, Principal Member, NSW Civil & Administrative Tribunal


## Design and Building Practitioners Act 2020

- New duty owed by a person who carries out construction work to exercise reasonable care
- Duty owed to owners of land on which work carried out and each subsequent owner including owners corporations
- Retrospective operation of Act and limitation issues
- Duty owed by builders, designers, suppliers, supervisors and anyone having substantive control over the carrying out of work
- Potential to pierce corporate veil and make company directors and nominated supervisors personally liable
- Application of apportionment provisions of *Civil Liability Act*
- Interaction with statutory warranty and contract claims

 Presented by **Tom Davie**, Barrister, Queen's Square Chambers; author, *Annotated Home Building Act*, Prospect Media, 2000 and co-author, *Understanding Construction Law*, LexisNexis 2015, 2<sup>nd</sup> edition; Recommended Construction & Infrastructure Junior Counsel, *Doyle's Guide 2020*

## Cladding Litigation: Case study

Hear firsthand from a barrister involved in a major recent cladding decision.

 Presented by **Tom Davie**, Barrister, Queen's Square Chambers; author, *Annotated Home Building Act*, Prospect Media, 2000 and co-author, *Understanding Construction Law*, LexisNexis 2015, 2<sup>nd</sup> edition; Recommended Construction & Infrastructure Junior Counsel, *Doyle's Guide 2020*

## Work Orders vs Monetary Claims under the Home Building Act

- S48MA of the HBA where the preference is for the Responsible Party to return and rectify defects (and the factors the Tribunal is to take into account when deciding whether to make a Work Order)
- The owners' duty to mitigate loss and to allow reasonable access to the builder to return and rectify defects
- Strategies when acting for the Applicants (owners) in NCAT proceedings in terms of structuring the case for either a Work Order, monetary order or both (and preparing the Points of Claim, evidence in chief or in Reply)
- Strategies when acting for the Respondents (builders/contractors) in NCAT proceedings in defending the claim for either a Work Order or monetary order (and preparing the evidence and Points of Defence)
- Tips and strategies for the settlement conferences

 Presented by **Stephen Aroney**, Partner, Mills Oakley

**2** ATTEND AND EARN

2 CPD units in Substantive Law

# QUANTUM MERUIT: NAVIGATING CRITICAL CHANGES

RECORDED IN JULY 2020 IN VIC \$155  
1 CPD UNIT [>click here to see online](#) OND207V08

The High Court's decision in *Mann v Paterson Constructions Pty Ltd* dramatically changed the law in relation to quantum meruit claims. Discover what's happened to quantum meruit, when the restitutionary remedy's no longer available, when it's practically worth pursuing, and the impact of contract price on these claims. Examine what all of these significant changes mean for your practice going forward and don't miss this opportunity to clarify these critical issues.

Chair: **Timothy Margetts QC**, Foley's List

## Quantum Meruit: Critical Update

- When is the remedy of restitution in the form of quantum meruit no longer available?
- Where the restitutionary remedy remains available, is it practically worth pursuing?
- Will the contract price always be a ceiling limit on the restitutionary remedy of quantum meruit?

 Presented by **Nicholas Gallina**, Barrister, Green's List

**1** ATTEND AND EARN

1 CPD unit in Substantive Law

## ADVANCED COMMERCIAL LITIGATION CONFERENCE

RECORDED IN MARCH 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND203N16

Don't miss the opportunity to count yourself amongst the litigation elite by spending a day examining high level commercial litigation updates, strategies and techniques with some of Sydney's best litigators. Work through the hottest issues and gain your core CPD points all while gaining the tools necessary to rise to the pinnacle of the litigation world.

## SESSION 1: KEY COMMERCIAL LITIGATION ISSUES

4 CPD UNITS      OND203N16A      \$490

Chair: **Vera Culkoff**, Barrister, Second Floor Selbourne Chambers

### Defamation Update: Recent Developments with Defamation Pleadings

- Pleading imputations
- Developments in truth, qualified privilege and other defences
- Case profiles: *Rush*, *Chau Chak Wing*, *Wagner* & more

Presented by **Hannah Marshall**, Partner and **Daisy von Schoenberg**, Lawyer, Marque Lawyers

### Navigating the Unfair Contract Terms Regime

- Current hot spots for claims of unfair terms in consumer and small business contracts
- Proposed introduction of penalties for unfair terms
- ACCC's recommendations for a prohibition on 'unfair commercial practices'
- Overseas developments and emerging issues in data and online platforms

Presented by **David Howarth**, Special Counsel, K&L Gates

### Unconscionable Conduct in Commercial Disputes

- Statutory unconscionability and the general law
- Systemic unconscionability
- Review of the High Court decision in *Kobelt*

Presented by **Kevin Andronos SC**, Eleven Wentworth Chambers

### Insolvency & Corporations Law Litigation Update

- Changes to penalties for misconduct by corporations in the financial sector
- Recent cases on insolvent trading trusts and deeds of company arrangement
- Phoenix company legislation
- Recent cases on directors duties

Presented by **Julian O'Sullivan**, Barrister, Thirteen Wentworth Chambers

## SESSION 2: CPD COMPULSORY UNITS FOR COMMERCIAL LITIGATORS

3 CPD UNITS      OND 203N16B      \$405

Chair: **Danny Feller SC**, Edmund Barton Chambers

### Ethics & Professional Responsibility

#### The Ethics of Dealing with Unusual Costs

- Update on Uniform Law Ethical Obligations in relation to unusual costs
- Ethical grey areas in seeking unusual costs
- Federal jurisdiction and NSW trends in recovering unusual costs
- What are your professional responsibilities?
- Recent relevant disciplinary costs decisions

Presented by **Jeremy Morris SC**, 13th Floor St James Hall; Recommended Insurance Senior Counsel, *Doyle's Guide* 2018

### Practice Management & Business Skills

#### Managing Stress and Mental Health: A Survival Guide for Commercial Litigators

- Key statistics on stress in the legal profession
- Best ways to manage day-to-day stress
- Maintaining a work/ life balance to ensure success
- Recognising substance abuse issues

Presented by **Jeremy Morris SC**, 13th Floor St James Hall; Recommended Insurance Senior Counsel, *Doyle's Guide* 2018

### Professional Skills

#### A Practical Guide to Maximising Expert Evidence

- Practical guidance on effectively instructing an expert
- Key takeaways from section 79 of the Uniform Evidence Law
- Communicating with experts: when legal professional privilege applies
- Getting the most out of expert valuation evidence, the concept of goodwill and the court's approach
- Applying lessons from recent cases

Presented by **Richard Raffell**, Barrister, Ground Floor Wentworth Chambers



**Gain Your CPD  
Compulsory Units!**



# IN-HOUSE LITIGATION: REGULATORY DISPUTES, DAMAGES, COSTS & PRIVILEGE

RECORDED IN JUNE 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND206N05

Master how to navigate damages, undertakings and reduce legal costs all while clearly and confidently advising your organisation in these key areas. Learn how to preserve privilege to protect your company and yourself. Ensure your organisation is bulletproof when it comes to regulatory action and equip yourself with the tools to succeed in dispute resolution. In a challenging market there will likely be more disputes and litigation so it's key for you to prepare now.

Chair: **Darshana Parekh**, Legal Counsel, Ola

## Professional Skills

### Online Dispute Resolution: A General Counsel's Perspective

Managing disputes is part of the 'bread and butter' work for many General Counsel and in-house lawyers, so how can we do it more effectively and efficiently?

- Pros and cons of online dispute resolution, with or without external lawyers
- How and when ODR can be used in existing legal proceedings
- How the use of effective ADR & ODR can help you demonstrate your added value in the General Counsel function
- The "do's and don'ts" of effective dispute resolution for General Counsel
- What the COVID19 crisis has taught us about managing risks in an emergency

Presented by **Steve Lancken**, Mediator and Managing Director, Negocio Resolutions; Leading Mediator, *Doyle's Guide* 2019

## Ethics & Professional Responsibility

### Legal Professional Privilege Prior to the Commencement of Litigation: A Guide for In-House Counsel

- The elements of legal professional privilege
- The circumstances in which pre-litigation communications will be privileged
- Understanding the distinction between commercial communications and privileged communications and why it is important
- Challenges and considerations for in-house counsel with respect to privilege in the early stages of disputes

Presented by **Louise Hulmes**, Barrister, 8th Floor Selborne Chambers

### Damages, Undertakings and Costs in Corporate Litigation: Advising

- Instructing a CFO, General Counsel or CEO re: undertakings related to damages
- Business needs: having the right funds to deal with damages, costs and undertakings
- Issues to consider and advise on:
  - Making sure there's cash flow
  - Risks on damages
  - Injunctions on undertakings in relation to costs
  - Security for costs: What does it really look like when you deal with it up front?

Presented by **Melissa McGrath**, Principal Lawyer, Coleman Greig

### Navigating Regulatory Disputes

- Reporting to ASIC including new guidelines on breach notifications
- An overview of AFCA
- An update on the new legislation
- Regulatory case studies that will demonstrate how it all works

Presented by **Dr Hillary Ray**, Director, Cowell Clarke Commercial Lawyers

## 4 ATTEND AND EARN

2 CPD units in Substantive Law  
1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Practice Management & Business Skills

# IN-HOUSE COUNSEL: CPD COMPULSORY UNITS

RECORDED IN DECEMBER 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND2012N01

Gain in-depth guides to 3 critically important issues facing in-house counsel today while earning your core CPD units. Meet your duties in staying on top of employee mental health in a time of change & uncertainty. Master how to analyse a company's financial position to minimise the legal & business risks arising when in-house counsel are asked to weigh in on a commercial transaction. Finally, learn how to utilise data, analytics & AI to keep up with your industry peers in this increasingly important area.

## Ethics & Professional Responsibility

### Managing Your Responsibility for the Mental Wellbeing of Employees

- A guide to managing mental health in the workplace
- What is the cost of mental health to organisations?
- Why do employers have an ethical and professional responsibility to educate and train managers on mental health?
- Understanding signs and symptoms of someone whose work performance is impaired and how to approach an employee
- Key lessons and takeaways for in-house counsel

Presented by **Renato Marasco**, Employee Relations Lawyer

## Professional Skills

### In-House Counsel's Guide to Analysing & Interpreting a Company's Financial Position

In this practical session you will learn how to mitigate legal and financial risk by honing your skills in reading, understanding and utilising financial information.

- How to identify indicators of risk and uncertainty in financial statements
- Spotting warning signs and understanding the risks of potential financial distress or insolvency
- Utilising ratio analysis to minimise risk by detecting financial red flags
- Recognising indicators that financial statements may be unreliable or misstated
- Examining how a miscategorisation of assets and liabilities can result in legal and financial risks

Presented by **Dino Travaglini**, Director, Travaglini Corporate Advisory

## Practice Management & Business Skills

### Utilising Analytics, AI, Automation & Organisational Change to Meet Regulatory Duties

- Compliance & reporting: how to use the latest technology and trends to meet regulatory challenges
- Insights into Intelligent Process Automation to improve your legal department's performance
- Update on how in-house counsel can utilise AI in their practice
- Staying on top of future trends in compliance in a post Hayne Royal Commission world
- How you can leverage technology, data and legal analytics in your role
- Organisational change for senior management and the board to manage the future regulatory environment

Presented by **David Millhouse**, Senior Research Fellow, Faculty of Law, Bond University

## 3 ATTEND AND EARN

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Practice Management & Business Skills  
1 CPD unit in Professional Skills

# SMSFS: THE A-Z OF LEGAL ISSUES


RECORDED IN MARCH 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND203N31

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 **Stephanie Flegg**, Associate, 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

### 4 ATTEND AND EARN

4 CPD units in Substantive Law

# COMPREHENSIVE LEGAL UPDATE FOR YOUR COMMERCIAL CLIENTS

RECORDED IN MARCH 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND203N24

If you have a general commercial practice these are the twenty essential questions you need answered. Your business clients will often seek answers across a wide range of specialist areas from employment to contract to tax and intellectual property law. Address those knowledge gaps, hear from experts in these fields and enhance your legal practice.

Chair: **Jason Sprague**, Partner, Bartier Perry

## 5 Most Asked Questions on Employment Law

- When is misconduct serious enough to terminate employment?
- To what extent must we accommodate non-work injuries?
- Can we control what our employees say on social media or other public places?
- What makes a redundancy 'genuine'?
- Will our non-compete clause be enforceable after termination?

 Presented by **Deirdre McEvoy**, Senior Associate, McArdle Legal; Accredited Specialist in Employment and Industrial Law

## 5 Most Asked Questions on Contracts

- Is this Heads of Agreement binding?
- What mistakes can I make in giving indemnities under a contract?
- What terms can be implied into my contract?
- What is the difference between a deed and an agreement?
- Best endeavours vs reasonable endeavours obligations in contracts: Are they different and what do they mean?

 Presented by **Malcolm Campbell**, Principal, Coleman Greig

## 5 Most Asked Questions on Tax

- Can I claim tax losses incurred in previous years for tax?
- What are the issues around shareholder loans and unpaid present entitlements?
- What tax risks do I take on when I become a director?
- Do I have a GST adjustment and why?
- How will land tax affect my business?

 Presented by **Suzie Boulous**, Partner, Brown Wright Stein Lawyers

## 5 Most Asked Questions on IP

- Why do I need to care about IP?
- 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 **Derek Baigent**, Principal, Griffith Hack; *Best Lawyers* 2019, Intellectual Property Law

### 3 ATTEND AND EARN

3 CPD units in Substantive Law



# BUSINESS SALES: LEGAL ISSUES & SKILLS

RECORDED IN MARCH 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND203N17

If you're involved in business sales and purchases, this event will provide a useful update on the key issues you regularly face. Intellectual property, tax, employment, due diligence and more will be addressed by our stellar line-up of expert speakers. Plus gain your ethics and professional skills compulsory units in the afternoon.

## SESSION 1: SIGNIFICANT BUSINESS SALES LEGAL ISSUES

4 CPD UNITS      OND203N17A      \$490

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

### IP Issues When Buying or Selling a Company: Hot Topics, Tips and Traps

- Be IP ready in the event of business sale
- Scope of IP due diligence: asset/share sale distinction, considerations when acting for seller/buyer in an IP due diligence
- IP Assets: cross-jurisdictional issues, circular definitions and importance of clear drafting, assignment of unregistered trade marks and copyright
- Intragroup IP licensing arrangements and important issue of maintaining valid trade marks
- Trade secrets, knowhow and confidential information
- Impact of recent legislative reforms on IP licences/assignments
- Names and trade marks, use of special conditions in business sale agreements, restraint of trade clauses

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

### Changes to CGT Small Business Concessions: Is Your Client's Business Sale Still Tax Effective?

Major legislative change to the small business capital gains tax concessions drastically changed the tax outcome for many clients on the sale of their business. As an advisor you will be asked to give advice on whether to sell the business assets or the underlying ownership interests, and these changes directly impact the tax outcome on that advice. Work through the changes through a case study exploring different approaches to a business sale and the different tax treatment after the changes.

Presented by **Adrian Bailey**, Partner, Cleary Hoare Solicitors; CTA

### Restraints of Trade Considerations in Sale of Business

- General legal principles
- Restraints applying to transferring employees
- Restraints applying to sellers
- Tips for drafting enforceable restraint clauses

Presented by **Adrian Barwick**, Solicitor Director, Williamson Barwick; Accredited Specialist in Employment & Industrial Law; Recommended Employment Lawyer, *Doyle's Guide* 2019

### Due Diligence When Acquiring a Business in Financial Distress

- Understanding who the seller is: instances where the bank is the seller
- Ensuring you have the most information available about the business and its present state
- How to deal with gaps in the information you have
- Considering customers, employees and suppliers
- Prioritisation in due diligence when time is limited

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

### Franchises: Key Considerations when Buying and Selling

- Specifics of a franchise agreement: key things to look out for
- Considering licenses, leases and permits
- Understanding the franchisee/franchisor relationship
- Common franchising disputes in sale and purchase situations

Presented by **Corinne Attard**, Consulting Principal, Keypoint Law

## SESSION 2: BUILDING YOUR BUSINESS SALES SKILLS

3 CPD UNITS      OND203N17B      \$405

Chair: **TBC**

### Valuations for Sale of Businesses

- When valuations are required
- The difference between price and value
- Valuation approaches and methods
- Discounts and premiums
- What are the value drivers?
- What about synergies?
- Common traps

Presented by **Fiona Hansen**, Senior Managing Director, Valuation Advisory, FTI Consulting

### Ethics & Professional Responsibility

#### A Practical Guide to Ethical Obligations in Negotiating Business Transactions

- The fundamental legal duties of solicitors: honesty, courtesy, integrity and independence, and what these actually mean in commercial transactions
- The duty to correct, for example where the other side is labouring under mistake
- Conflicts of interest and what these mean in a transactional environment
- An analysis of recent key decisions
- Case studies and ethical dos and don'ts for lawyers negotiating business contracts

Presented by **James Halliday**, Consulting Principal, Keypoint Law

### Professional Skills

#### Negotiation Skills for Solicitors to Ensure the Deal Happens on the Right Terms

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

Presented by **Rebecca Maslen-Stannage**, Corporate M&A Partner, Herbert Smith Freehills: Australian Dealmaker of the Year 2019, Australasian Law Awards



## ACCREDITED SPECIALISTS

Are required to complete  
20 units of CPD each year

## 7 ATTEND THE FULL DAY AND EARN

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

1 CPD unit in Ethics & Professional Responsibility

## TRUSTS AND DEEDS ADVANCED REVIEW

RECORDED IN MARCH 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND203N32

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 **Ian Fullerton**, Barrister, Ground Floor Wentworth Chambers; Leading Tax Junior Counsel, *Doyle's Guide* 2019

### 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

### COVID-19: Australian Economic Stimulus Measures

- Analysis of Australian fiscal measures in response to COVID-19

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

“These speakers are the best & most knowledgeable in trust & tax”

## PPSA UPDATES AND STRATEGIES

RECORDED IN MARCH 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND203N37

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

- PPSA and leases
- Consignments

Presented by **Simon Della Marta**, Partner, Pointon 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

## DIRECTORS & OFFICERS: KNOW THE DUTIES


RECORDED IN MARCH 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND203N39

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.

### Ethics & Professional Responsibility


#### 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**, ANZIIIF (Aff) CIP, Associate, Norton Rose Fulbright Australia

## DEMYSTIFYING VENTURE CAPITAL AND PRIVATE EQUITY TRANSACTIONS


RECORDED IN MARCH 2020 IN VIC \$405  
3 CPD UNITS [>click here to see online](#) OND203V18

Gain insights into some of the most significant legal issues and risks you need to be aware of in the area. Equipped with this knowledge you will be able to act in the best interests of your clients and, ideally, even acquire new ones.

Chair: **Peter Stirling**, Partner, King & Wood Mallesons; Leading Corporate Lawyer, *Doyle's Guide* 2019; Lawyer of the Year in Corporate Law, *Best Lawyers* 2019 – 2020

#### Demystifying VC and PE Transactions for Founders and their Advisors

- Understanding the inner workings of PE and VC Funds
- Getting the house in order for fundraising a transaction and potential implications of restructuring
- Key issues in relation to remuneration and retention of key personnel
- Practical tips on dealing with VC funds and PE funds
- Understanding VC and PE acronyms and concepts
- Different equity funding mechanisms
- Important matters to address in the shareholders agreement

 Presented by **Thomas Kim**, Partner, HWL Ebsworth Lawyers; Lawyer of the Year in Derivatives Law, *Best Lawyers* 2019 – 2020 and **Marianna Parry**, Senior Associate, HWL Ebsworth Lawyers

#### Drafting Shareholder Agreements for Venture Capital and Private Equity

- Assessing the needs of your clients
- Taking instructions from multiple parties
- Balancing interests & complexity
- Key issues around ownership and control
- Fundamental provisions in a shareholder agreement
- Examples of some context-specific provisions in a shareholder agreement
- Challenges and timing for execution
- New shareholders, accession and amendments to the shareholder agreement
- Providing for dispute resolution processes

 Presented by **Caroline Carnegie**, Partner, K&L Gates

#### The Effect of Insolvency on Venture Capital/Shareholder Agreements


- Quick review of main insolvency concepts: liquidations, voluntary administrations and receiverships
- Recapitalisation through a Deed of Company Arrangement
- Use of safe harbours within which to restructure
- Insolvency of shareholder/co venturer

 Presented by **Penelope Pengilly**, Consulting Principal, Keypoint Law

### Professional Skills

#### Valuations of Early Stage Investments

- Methods for valuing early stage companies
- Are we in another tech bubble?
- Drivers of value for PEs, VCs and founders
- Pricing multiples seen in the market

 Presented by **John-Henry Eversgerd**, Senior Managing Director, Forensic & Litigation Consulting, FTI Consulting

### 4 ATTEND AND EARN

3.5 CPD units in Substantive Law  
0.5 CPD units in Ethics & Professional Responsibility

### 3 ATTEND AND EARN

3 CPD units in Substantive Law

## FRANCHISING LAW: UPDATES, DISPUTES AND COMPLIANCE

RECORDED IN SEPTEMBER 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND209N10

Are you across the latest franchising issues in order to better assist your clients navigate COVID-19 and beyond? Hear from leading franchising practitioners as they examine the latest updates in the franchising industry, analyse significant cases of interest, and provide strategies on how to resolve disputes and ensure best practice compliance.

Chair: **Corinne Attard**, Consulting Principal, Keypoint Law


### Recent Developments in Franchising

- New developments: new vehicle dealership agreements
- Status of the development of the changes to the Franchising Code
- COVID-19 issues relating to franchising

 Presented by **Maija Kerry**, Special Counsel, Norton Rose Fulbright

### A Critical View of Recent Important Franchising Cases

Receive an update on the latest franchising cases and key takeaways you can apply to your practice.

 Presented by **Alicia Hill**, Principal, MST Lawyers; Accredited Specialist in Commercial Litigation

### Creation of Better Franchise Dispute Resolution Processes

- How to improve the process of dispute resolution
- Binding arbitration with capacity to award remedies, compensation, costs
- A guide to undertaking multi-franchisee dispute resolution
- Practical insights and takeaways

 Presented by **Ana Haarsma**, Director, Haarsma Lawyers

### Regulatory Update: Recent Developments in Disclosure Obligations

- New case law and regulator guidance
- Disclosure documents: what does sufficient and meaningful disclosure mean in practice?
- Good faith and good disclosure

 Presented by **Megan Jongbloed**, Director, Cowell Clarke

## 3 ATTEND AND EARN

3 CPD units in Substantive Law

## DOING BUSINESS WITH CHINA: LEGAL ISSUES


RECORDED IN NOVEMBER 2019 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND1911N03

Our largest trading partner provides Australian companies with enormous opportunities but significant risks, and in particular, legal risks. Intellectual property, security, contracts and dispute resolution are all high on the radar for those looking to market, outsource or invest in China. Tensions in the political relationship between Australia and China are already having an impact on business relationships. What will the future hold?

Chair: **Michael Clifton GAICD**, NSW President, Australia China Business Council; Principal, MJC Asia Consulting

### Keeping up with a Changing China

- Is Australia in China's 'naughty corner'? Political tensions and the effect on business relationships
- What does the US Trade War mean for Australian business?
- Developing your market in China and/or outsourcing to China
- Challenges for Chinese businesses entering the Australian market

 Presented by **Jim Harrowell AM**, Managing Partner, Hunt & Hunt Lawyers; NSW Special Envoy for China; Immediate Past President of ACBC NSW

### Chinese Contract Law

- Key differences to Australian contract law
- Why what is in the contract is so important
- Strategies for drafting and negotiating contracts with Chinese counterparties

 Presented by **Ben Smith**, Partner, MinterEllison

## INTERNATIONAL SPEAKER LIVE FROM CHINA

### Protection of Intellectual Property in the People's Republic of China: Commercial Relationships

- Background on registration and protection of IP necessary for doing business in China
- Recent developments impacting manufacturing and distribution relationships
- Practical suggestions for addressing OEM manufacturing risks in trade mark piracy contexts
- 'Must haves' in commercial agreements

 Presented by **Ken Hung**, Partner, Vivien Chan & Co

### Dispute Resolution in the Chinese Environment: What to do if Things Turn Sour

- Drafting dispute resolution clauses that best protect your business
- Managing international risk in China
- Guidance and support in arbitral and ADR proceedings - what do you do if something goes wrong?

 Presented by **Shun Cheng**, Managing Partner, Guantao & CS Lawyers

## 4 ATTEND AND EARN

4 CPD units in Substantive Law

## 5TH ANNUAL CREDIT LAW CONFERENCE

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2011N25

**How will COVID-19 impact credit law, the economy & the financial services sector? What happens when the loan repayment holiday ends? Hear insights into managing non-financial risk. How is the Buy-Now-Pay-Later Code going to work? Are you up to date on cyber attacks & money laundering? Examine the latest in open banking, fintech, & regtech. Meet the neobanks, explore blockchain, & consider new regulations to grapple with in the post Banking Royal Commission world.**

Chair: **Andrea Beatty**, Partner, Piper Alderman; Accredited Specialist in Credit Law

### Keynote Address: COVID-19 – The Global Economic Impact and Implications for Australia

Presented by **Professor Warwick McKibbin AO**, Vice-Chancellor's Chair in Public Policy and Director, Centre for Applied Macroeconomic Analysis (CAMA), Crawford School of Public Policy, Australian National University

### PANEL DISCUSSION

#### COVID-19 and Financial Hardship: What Happens When the Loan Repayment Holiday Stops?

Panelists:

**Tim Gough**, Senior Executive Leader, Credit, Retail Banking & Payments, Australian Securities & Investments Commission  
**Christine Cupitt**, Executive Director, Policy, Australian Banking Association  
**Diane Tate**, Chief Executive Officer, Australian Financial Industry Association  
**Karen Cox**, Chief Executive Officer, Financial Rights Legal Centre (Sydney)

### PANEL DISCUSSION

#### Managing Non-Financial Risk

- What a CEO needs to consider
- Governance, risk and compliance framework for management and boards

Panelists:

**Joseph Rizk OAM**, Chief Executive Officer and Managing Director, Arab Bank Australia  
**Alison Ewings**, Head of Engagement, Regnan

### Governance Systems in Anti-Money Laundering and Counter Terrorism Financing (AML/CTF)

- AUSTRAC's expectations on governance to support compliance with AML/CTF
- The consequences of poor governance

Presented by **Richard Lee**, Director Education Capability and Communications, AUSTRAC

### Cyber Security: Are You Ready to Manage a Cyber Attack?

- What does 2020 look like in the cyber world?
- Impact of COVID-19: Have the hackers & their tactics changed?
- Stress testing the system: points of vulnerability
- Employee training: Does it measure up?
- How to manage the overall risk framework for data security
- How to handle breach reporting and reputational damage

Presented by **Chris McLaughlin**, Director, Cyber Security Group Aon  
**Andrew Gray**, Chief Counsel, Aon Reinsurance Solutions APAC; Associate General Counsel, Aon Commercial Risk Solutions Global  
**Olga Ganopolsky**, General Counsel Privacy and Data, Macquarie Group  
**Emily Hills**, Senior Corporate Counsel, Toyota Finance Australia

### Buy-Now-Pay-Later (BNPL) Update

- BNPL self-regulatory code update

Presented by **Andrea Beatty**, Partner, Piper Alderman; Accredited Specialist in Credit Law

### OPEN BANKING, FINTECH, AND REGTECH

#### Senate Select Committee on Financial Technology and Regulatory Technology: Interim Report

Presented by **Senator Andrew Bragg**, Committee Chair

#### Open Banking Update

Presented by **Paul Franklin**, Executive General Manager, Consumer Data Rights Division Australian Competition & Consumer Commission

#### Open Banking Operational Update

Presented by **Joshua Annese**, Partner, Piper Alderman  
Panel Discussion: **Rebecca Schot-Guppy**, Chief Executive Officer, Fintech Australia, and **Neil Campbell**, Head of Security & Compliance, Meeco

#### Neobanks: The New Age of Banking

Presented by **Philip Haultain**, General Counsel & Company Secretary, Volt Bank, and **Dean McAuley**, Director Capital Product, Prospe; **Scott Jamieson**, Chief Compliance Officer, Revolut

#### Blockchain, Smart Contracts, Central Bank Digital Currencies

Discuss developing practical Blockchain applications, Smart Contracts in Australia and the rise of Central Bank Digital Currencies and what it means for credit.

Presented by **Natasha Blycha**, Global Head of Digital Law, Herbert Smith Freehills, **Nikesh Lalchandani**, Chief Strategy Officer, Bloxian, and **Michael Bacina**, Partner, Financial Services & Fintech Group, Piper Alderman

#### What New Regulations are Coming Post Banking Royal Commission?

- Major overhaul of responsible lending laws
- Legislation
- Likely impact on regulatory enforcement
- Consumer view
- Other stakeholder perspectives

Presented by **Narelle Smythe**, Partner, Clayton Utz, **Steven Klimt**, Partner, Clayton Utz, and **Alexandra Kelly**, Principal Solicitor, Financial Legal Rights Centre (Sydney)



## 5 SKILLS FOR THE COMMERCIALLY MINDED IN-HOUSE COUNSEL

RECORDED IN NOVEMBER 2019 IN QLD \$490  
4 CPD UNITS [>click here to see online](#) OND1911Q05

In-house counsel are increasingly expected to do more with less, so it's crucial that your commercial acumen is just as sharp as your legal knowledge. Bolster your legal and commercial skills with 5 in-depth and practical sessions that will give you the tools you need to avoid legal risk while maximising commercial potential.

Chair: **Cathy Lyndon**, Special Counsel, MinterEllison

### Contract Tendering and Negotiation Strategies: Getting the Agreement You Want

- Balancing the need to cover off risk against the pressing need to keep the organisation commercially competitive
- Identifying risks that need to be accepted to maintain your organisation's competitive edge and to meet board and shareholder demands
- How to best deal with contractual risks you need to take

Presented by **Robin Lonergan**, Special Counsel, Mills Oakley Lawyers

### Managing the Legal Risks and Commercial Challenges of Operating Across Multiple Jurisdictions

- Ensuring your team is capable of dealing with problems occurring outside of your jurisdiction
- Strategies to best utilise and leverage your available resources for dealing with several jurisdictions
- Maintaining knowledge of laws, market conditions and best practices for operating in different jurisdictions

Presented by **Michael Kent**, General Counsel, Transit Systems

### WORKSHOP

#### Insolvency Risk Management Procedures for In-House Counsel: Answers to the Key Questions

- Strategies to reduce risk when dealing with key counter parties
- Dealing with a customer payment defaults
- Protecting the business from voidable transactions claims
- Financial health checklists and early warning signs of insolvency
- Ensuring the board of directors and C-suite is protected in circumstances of financial distress

Presented by **Cameron Crichton**, Partner – Financial Advisory and **Matt Mullen**, Senior Manager – Financial Advisory, Grant Thornton

Practice Management & Business Skills

### Utilising Analytics, Automation & Organisational Change to Meet Regulatory Duties

- Compliance & reporting
- Insights into Intelligent Process Automation to improve your performance
- Staying on top of future trends in compliance in a post Hayne Royal Commission world
- How you can leverage technology, data and legal analytics in your role
- Organisational change for senior management and the board to manage the future regulatory environment

Presented by **David Millhouse**, Senior Research Fellow, Faculty of Law, Bond University

Practice Management & Business Skills

### A Guide to Litigation for In-House Counsel: Getting There Better, Cheaper and Faster

- How to use technology in litigation to improve costs and outcomes
- AI and technology trends
- Common issues with discovery and the use of technology
- Checklists, best practices and strategies to resolve litigation in an effective and efficient manner

Presented by **Kate Clark**, Executive Director, Enhanced Litigation Management Solutions

## CONSUMER LAW: THE NEW STATE OF PLAY

RECORDED IN JUNE 2020 IN WA \$405  
3 CPD UNITS [>click here to see online](#) OND206W06

Following the onset of COVID-19 Australian Consumer Law is facing a time of disruption and change. It's vital that you keep up to date on all the latest developments and issues, including statutory guarantees and contractual warranties, unconscionable or misleading & deceptive conduct, and the unfair contract terms regime. This practical half day program will provide you with a toolkit of practical strategies to handle the latest issues impacting consumers, businesses & their advisors in this uncertain market.

Chair: **Joe Lazzara**, Partner, Thomson Geer

### Navigating Statutory Guarantees and Contractual Warranties

- Scope of the obligations
- Liability risk management for suppliers and manufacturers
- Managing B2B transactions caught by the guarantees

Presented by **Dr David Cox**, Barrister, Francis Burt Chambers

### Assessing Damages in Cases Involving Unconscionable or Misleading and Deceptive Conduct

- The elements of s236 of the Australian Consumer Law
- What kinds of loss or damage are recoverable?
- Limitations on liability
- Sale of business cases

Presented by **Darren Pratt**, Barrister, Francis Burt Chambers

### Navigating the Unfair Contract Terms Regime

Regulators are looking carefully at introducing further legislation and other measures to tighten up the laws around unfair contracts. After a year of significant developments, it is now critical that you stay up to date with the latest information and best practices. This session will provide practical guidance on dealing with unfair terms so you can be confident in advising your organisation or your clients without risk.

Presented by **Kelvin Tang**, Principal, Tang Law

3

ATTEND AND EARN

3 CPD units in Substantive Law

4

ATTEND AND EARN

2.5 CPD units in Professional Skills  
1.5 CPD units in Practice Management & Business Skills

## DEFAMATION LAW FORUM


RECORDED IN JUNE 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND206N01

Defamation law plays an important role in protection of reputation. Claims in defamation are becoming increasingly complex, involving not only traditional media organisations, but also social media entities. Join leading practitioners as they discuss the reform to the current Australian Defamation Law as well as the latest cases and developments in this rapidly evolving area of law.

Chair: **Lyndelle Barnett**, Barrister, Level 22 Chambers

### The National Review of Defamation Laws

- The serious harm test: what it will mean for the reform package
- Comparing UK and Australian frameworks
- Liability changes
- Online safety and harms regulation in Australia and the UK: developments and discussion of consistency with broader media law frameworks and principles

 Presented by **Sophie Dawson**, Partner, and **Jarrad Parker**, Senior Associate, Bird and Bird

### Defamation and Reputation

- Pre and post publication
- Misleading and deceptive conduct
- Injurious falsehood
- Misuse of personal images

 Presented by **Justine Munsie**, Partner, Addisons

### Third Party Liability for Defamation

- Search engines, platforms, web page hosts
- Primary and secondary publishers
- Case updates: *Voller, Trkulja, Duffy* & more
- Law reform and the single publication rule

 Presented by **Hannah Marshall**, Partner and **Daisy von Schoenberg**, Senior Associate, Marque Lawyer

### Adapting Defamation Law to Online Publication

- Striking the right balance between:
  - freedom of expression
  - publication of material in the public interest
  - protecting individual's reputations

 Presented by **Robert Todd**, Partner, Ashurst

## CLASS ACTIONS: A COMPREHENSIVE GUIDE

RECORDED IN MARCH 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND206N10

With the number of class actions in Australia growing exponentially over the past few years and rapid growth expected in the future, class action litigation is the definition of a growth industry. Keep abreast in this burgeoning area with a look at the most important issues and strategies for plaintiffs and defendants, how settlements are playing out in practice, how litigation funding fits in, and what the future holds for your practice.

Chair: **Jenny Campbell**, Partner, Allens; Recommended Commercial Litigation & Dispute Resolution Lawyer, *Doyle's Guide* 2019


### THE PLAINTIFF PERSPECTIVE: Class Actions: Key Considerations for Plaintiffs

- Why bring a class action? Background, policy and outcomes
- Commerciality, funding options and choice of forum
- Interlocutory hurdles (e.g. security for costs, class closure)
- The importance of expert evidence
- Key factors impacting on outcomes for group members

 Presented by **Craig Allsopp**, Practice Leader - Class Actions, Shine Lawyers

### THE DEFENDANT PERSPECTIVE: Defending Class Actions: Unique Challenges

- Risks, challenges and threats posed by class action litigation
- Effective strategies to manage cases
- Pressure points, tactics and other procedural tips
- To settle or not to settle? That is the question

 Presented by **Jason Betts**, Partner, Herbert Smith Freehills; co-author, *Class Actions in Australia*, Thomas Reuters Legal; Preeminent Commercial Litigation & Dispute Resolution Lawyer, *Doyle's Guide* 2019


### Settlement Negotiations

- Strategies for settling at different stages of proceedings
- Settlement considerations for defendants
- Key issues in settlement negotiations
- Court approval

 Presented by **Ian Bolster**, Partner, Ashurst

### What Practitioners Must Know About Class Actions & Litigation Funding


- The types of claims litigation funders will fund and the funding process
- What does a funder look for in a claim?
- The impact of litigation funding for claimants
- The impact of recent developments in relation to common fund orders and contingency fees
- Worked example of a funded claim and potential ramifications for your practice

 Presented by **Susanna Khouri**, Head of Investment Operations (Diligence & Monitoring), Augusta Ventures

### PANEL DISCUSSION

#### A Practical Analysis of the Future of Class Actions

 Facilitated by **Jenny Campbell**, Partner, Allens

 Panellists:

**Craig Allsopp**, Practice Leader - Class Actions, Shine Lawyers

**Jason Betts**, Partner, Herbert Smith Freehills

**Susanna Khouri**, Head of Investment Operations (Diligence & Monitoring), Augusta Ventures

**Ian Bolster**, Partner, Ashurst

## ADVERTISING AND MARKETING LAW CONFERENCE 2020

RECORDED IN OCTOBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2010N14

Gain the practical guidance on the key legal issues for the advertising and marketing industry as it rapidly moves further to the online world and the essential tips and understanding of the response by Regulators to protect consumers. Examine how to manage your IP risks through several real life scenarios and examine the key ACL issues with an ecommerce campaign. Finally, spend time exploring regulatory intervention, amendments, recent cases and updates on the Code of Ethics and the important advertising self-regulation system.

## SESSION 1: ONLINE MARKETING AND ADVERTISING ISSUES IN 2020

4 CPD UNITS      OND2010N14A      \$490

Chair: **Tamara Daran**, Legal Director & Company Secretary, South Pacific, Colgate-Palmolive Company

### Regulatory Reshaping of the Online Advertising and Marketing Sector and Privacy: Current Status and What's Next

- Marketers, advertisers, intermediaries and data: new norms for governance of data about users
- The ACCC and opacity in the advertising value chain: how codes and reporting transparency will transform marketing
- Digital platforms vs media publishers: Will advertisers be collateral damage?
- Behavioural marketing: Will reform of privacy regulation reshape what can be done?
- The ACCC as litigant: Trivago and Google and the future of consumer protection law

Presented by **Peter Leonard**, Principal, Data Synergies and Professor of Practice, UNSW Business School

### Branding, Influences and the New Influencers Marketing Code of Practice

- Social media advertising: the legal issues
- Reputation, trust and political correctness in the brand and marketing
- Legal liability and what to do when they say something that is wrong in the following situations
  - Celebrity influences: Pete Evans and COVID-19 health claims
  - Reviews and testimonials
  - Reputation, trust and political correctness in the brand and marketing

Presented by **Steve Brown**, Chairman, Etienne Lawyers and **Tony Eades**, Brand Futurist - Chief Strategy Officer, CEO (APAC) Salted Stone

### Managing IP Risks in Advertising and Marketing Including Online Marketing

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

### Case Study and Q&A on Managing IP Risks

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

### Ecommerce and the Australian Consumer Law

- Misleading or deceptive conduct: websites, social media, digital advertising (including testimonials)
- Statutory consumer guarantees, unfair contract terms and relationship with misleading or deceptive conduct.
- Is there a prohibition against price gouging

Presented by **Ayman Guirguis**, Partner, K&L Gates; *Best Lawyers* 2021, Competition Law

## SESSION 2: REGULATORY INTERVENTION, AMENDMENTS AND UPDATE

3 CPD UNITS      OND2010N14B      \$405

Chair: **Jacinta Dale**, General Counsel & Company Secretary, JBS Australia

### An Overview of Key Advertising and Marketing Law Cases from 2020

- Lessons from the latest court decisions
- ACCC enforcement activity
- Cases to watch in 2021

Presented by **Sonia Stewart**, Barrister 5 Wentworth Chambers

### Dealing with the Regulator and Responding to Complaints or Enforcement

Presented by **Odette Gourley**, Partner, Corrs Chambers Westgarth; Leading Lawyer (Band 1), Life Sciences, Chambers Asia-Pacific; *Best Lawyers* 2019, Biotechnology Law, Intellectual Property Law, Life Sciences Practice, Litigation; Recommended Contentious Intellectual Property Lawyer, *Doyle's Guide* 2020

### Experiences with the Advertising Reforms under the Therapeutic Goods Act

Presented by **Dr Teresa Nicoletti**, Partner, Mills Oakley; Leading Lawyer (Band 1), Life Sciences, Chambers Asia-Pacific; *Best Lawyers* 2019 Life Sciences Practice, Biotechnology Law and Health & Aged Care Law

### Updates to the Codes of Ethics and the Advertising Self-regulation System

Presented by **John Broome**, Chief Executive Officer, AANA (Australian Association of National Advertisers)

## CPD COMPULSORY UNITS: OVER 3 WEEKS

RECORDED IN AUG & SEPT 2020 IN NSW \$405  
UP TO 3 CPD UNITS [>click here to see online](#) OND208N15

Work through the policies and practices you need to prevent or manage sexual harassment in the workplace and the many related legal, professional and ethical risks. Gain a step by step guide to improving your practice's IT security to prevent increasing privacy and data breach risks for law firms. Learn how to maximise your productivity and efficiency by managing stress and work/life balance. Earn your CPD core area units while skilling up on some of the most critical recent issues facing lawyers.

### A GUIDE TO NAVIGATING SEXUAL HARASSMENT ISSUES IN THE LEGAL WORKPLACE

1 CDP Unit OND208N15A \$155

#### ✔ Ethics & Professional Responsibility

This session examines:

- Update of recent developments
- Common mistakes made by employers
- Strategies for minimising harassment and the related risks in a legal practice
- Workplace culture, policies, training, investigations and disciplinary actions

Presented by **Belinda Winter**, Partner, Cooper Grace Ward Lawyers

### IMPROVING IT SECURITY: LEGAL PRACTICES AT A SUBSTANTIAL RISK AS PRIME TARGETS

1 CDP Unit OND208N15B \$155

#### ✔ Practice Management & Business Skills

- Why are law practices now prime targets?
- Navigating legal obligations imposed upon data collection
- Identifying and dealing with different types of security threats
- The enemy within: accidental actions, disgruntled employees
- External attacks: rational attackers, irrational attackers, third party supplier
- How can a law firm manage its risk profile?
- Security officer
- Engagement of tiger teams and red teams
- Cloud environments

Presented by **Dr Adrian McCullagh**, ODMOB Lawyers

### MAXIMISING PRODUCTIVITY & RESULTS BY MANAGING STRESS AND WORK/LIFE BALANCE

1 CDP Unit OND208N15C \$155

#### ✔ Professional Skills

- Key statistics on stress in the legal profession
- Real world strategies to manage day-to-day stress as a lawyer
- Encouraging a work/life balance to ensure success in your practice
- Recognising destructive behaviour in your colleagues and what to do

Presented by **Rick Cullen**, Director, Cullen Macleod Lawyers

**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 Ethics & Professional Responsibility  
1 CPD unit in Practice Management & Business Skills  
1 CPD unit in Professional Skills

## CPD COMPULSORY UNITS FOR ALL LAWYERS

RECORDED IN NOVEMBER 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND203N06

Gain practical guides for 3 of the most urgent issues facing legal practices today while earning your CPD core area units for the year. Stay on top of the latest employment law issues that will have a significant impact on your practice & your clients. Brace yourself for the risks related to out of hours conduct, including online activities and working remotely. Finally, gain a thorough understanding of how to understand and analyse financial reports at a time when those skills are as critical as ever.

#### ✔ Practice Management & Business Skills

##### Employment Law Updates and Toolkit for Law Practices

- Update on the key issues and elements you need to be aware of when you have any employees in your practice
- Analysis of recent employment law cases and developments and how to stay out of trouble when employing staff
- How can you apply these lessons to your own practice?

Presented by **Rick Manuel**, Barrister

#### ✔ Ethics & Professional Responsibility

##### Ethics and Out of Hours Activities: Implications and Consequences

- How out of hours activities can affect you professionally
- Ethical considerations when using social media
- Implications of out of hours recreational activities
- Out of hours vs out of office: distinctions to make when working remotely
- Recent disciplinary matters and outcomes to be aware of

Presented by **Rob Humphreys**, Special Counsel, MinterEllison

#### ✔ Professional 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
- The value of notes and making the best use of other information
- Balance sheets and other key areas to understand

Presented by **David Fechner**, Partner, BDO; Chartered Tax Adviser and Accountant

### 3 ATTEND AND EARN

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Practice Management & Business Skills  
1 CPD unit in Professional Skills

## BUSINESS SKILLS FOR LAWYERS

RECORDED IN MARCH 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND203N44

It's no secret that being a successful lawyer takes more than just knowing the law. Whether you're a solo practitioner or leading your own team, having the right set of skills can be difference between getting ahead and getting forgotten. From digital marketing to time management, financial literacy to cyber resilience, this seminar equips lawyers with the core skills they should have taught in law school.

### 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**, Director, LegalStudio

### Troubleshooting Guide to Running Many Matters all at Once

- Walking the tightrope of balancing multiple deadlines, priorities and client demands
- Strategies for dealing with administrative and recordkeeping tasks with little or no administrative support
- Staying motivated, energised, and in control
- Burnout: recognising the symptoms and addressing the causes
- Making time for you and yours

Presented by **Christopher Stannage**, Managing Director, Saltwater Insurance Consultants

### Financial Management and Understanding Financial Reports

- The story behind the financial reports
- What you can learn about your business through your accounts
- How access to real-time accurate financial reporting will assist your business
- What reports do you really need
- How you can work with your accountant to assist your business

Presented by **Fiona Bateman**, Director, Dolman Bateman

### Cyber Resilience for Your Practice

In a recent survey of 174 law firms, 87% of participants reported that cyber security was a concern for their practice, and almost one in five experienced a cyber security breach over the previous two years. However, 87 percent invested less than 30 minutes of cyber security training per month for employees. Examine the following essential issues:

- Examples of email fraud and cyber incidents impacting Australian legal practices
- Lawyers' professional responsibilities including duty of care, trustees' duties and other legal and ethical obligations
- Practical steps you can take to enhance your practice's cyber resilience

Presented by **Simone Herbert-Lowe**, Solicitor Director, Law & Cyber

## 3 ATTEND AND EARN

3 CPD units in Practice Management & Business Skills

## CPD COMPULSORY UNITS: COSTS AND BILLING FOR ALL LAWYERS

RECORDED IN MARCH 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND203N38

Protect yourself and your practice by making sure that you have the right skills in your costs and billing toolkit. Gain 10 critical tips in costs recovery, examine lessons from recent case law and explore why costs disclosure before settlement is critical, all while earning your compulsory CPD units.

### Practice Management & Business Skills

#### Determinations on Costs from the Last 12 Months: Lessons for Your Practice

Review the most significant costs cases from the past year and discuss the practices, trends and findings arising out of the costs assessment process and how the decisions and determinations by costs assessors may impact on your practice.

Presented by **Paul Taylor**, Principal and **Charles Ackroyd**, Principal, Pattison Hardman

### Professional Skills

#### Recovering Costs: From Clients and from Other Parties

- Top 10 tips in costs recovery
- Reducing the solicitor/client vs party/party gap
- Alternatives to costs assessment

Presented by **Mike Dudman**, Director, Costs Lawyer, Blackstone Legal Costing; Accredited Specialist in Costs Law

### Ethics & Professional Responsibility

#### Costs Disclosure Before Settlement: Ethics and Professional Negligence

The Legal Profession Uniform Law requires that you disclose costs before settlement.

- Failure to disclose has 4 unpleasant consequences for lawyers:
- The lawyer's costs agreement is void
- Client need not pay the lawyer's legal costs until they have been assessed, at the lawyer's cost
- The lawyer must not commence or maintain proceedings to recover the legal costs until they have been assessed, at the lawyer's cost
- It may constitute unsatisfactory professional conduct or professional misconduct—and in the case of solicitors, by any principal of the law practice
- An alternative to the Denuto Principle when making costs disclosure
- How to make costs disclosure easy while complying with professional obligations

Presented by **Philippe Doyle Gray**, Barrister, 8 Wentworth Chambers

## 3 ATTEND AND EARN

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Practice Management & Business Skills  
1 CPD unit in Professional Skills



## UNDERSTANDING FINANCIAL REPORTS FOR LAWYERS: A PRACTICAL WORKSHOP

RECORDED IN MARCH 2020 IN VIC \$490  
4 CPD UNITS [>click here to see online](#) OND203V36

It's absolutely essential that you have a sound understanding of how to read financial reports. Using examples from small, medium and large organisations, this practical workshop will help you to quickly and accurately grasp and communicate the information found within a financial report. You'll gain the confidence and knowledge to quickly and accurately assess an organisation's financial position, parse complex valuation issues, and identify signs of distress or insolvency.

### Practical Examples, Exercises and Case Studies

Engage in worked examples of financial reports including working through a series of hypothetical financial statements involving case studies, sample documents and more.

### Master the Essential Elements of Financial Reports


- Fundamental accounting principles, standards, concepts and definitions
- Understanding the reliability and information value of financial reports
- The different types of financial reports: how they are prepared, who prepares them, who can rely on them
- What is included in a financial report and how to analyse and interpret the information
- The value of notes and making the best use of other information
- Worked examples of financial reports including balance sheets and key areas to watch out for

### Explore how to Identify Signs of Potential Distress or Insolvency

- Analysis of reports to identify insolvency
- Ratios that may signify potential distress in the business
- What constitutes a good ratio and a bad ratio?
- Red flags to watch out for
- War stories

### Become Proficient at Spotting Valuation Issues in Financial Reports

- Analyse the financial position and prospects of a business
- Discuss indicators of risk and uncertainty in specific financial statement amounts
- Gain an appreciation of the warning signs that a financial statement may be unreliable
- Discuss aspects of a financial statement that has been shown to be misstated
- Red flags

 Presented by **Kellie Badge**, Partner and **Ahmed Bise**, Principal, Grant Thornton Australia

## DRIVING OFFENCES: MAJOR UPDATE

RECORDED IN MARCH 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND203N29

Get across all the latest developments in driving offences to help you and your practice stand out. Receive an essential case update and delve into potential defences for driving offences. Hear the pharmacological evidence on alcohol and driving and PCA matters. Don't miss the esteemed and always entertaining Professor McGregor with an update on roadside drug testing and the evolving defences for drug-driving on medicinal cannabis.

### THE PHARMACOLOGICAL PERSPECTIVE

#### Alcohol and Driving and PCA Matters: The Pharmacological Evidence


- Defending PCA matters: Evidentiary breath analysis
- Alcohol pharmacology
- Breath alcohol concentration at time of driving

 Presented by **Dr Stuart Anderson**, Galbraith Consulting

### Roadside Drug Testing: Cannabis Focus

Explore the effects of cannabis on driving and examine the most current findings in this rapidly developing area of law.

- Effects of cannabis on driving
- Cannabis pharmacokinetics & pharmacodynamics
- Roadside drug testing: accuracy and reliability

 Presented by **Thomas Arkell**, Project Co-coordinator, Lambert Initiative; PHD Candidate

### Defending Driving Offences: Potential Defences

- Defending PCA/ Drug driving charges including:
  - Honest and reasonable mistake
  - The 'Jimenez' defence
- Challenging the reading
- Defending unlicensed driving charges
- Defending negligence/dangerous driving charges
- Defending DUI charges

 Presented by **Michal Mantaj**, Managing Lawyer, Conditsis & Associates; Accredited Specialist in Criminal Law

# CRIMINAL LAW CONFERENCE 2020

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2011N04

Don't miss this comprehensive examination of the latest criminal law developments from an esteemed panel including a District Court Judge. Explore psychological reports on child behaviours in sexual assault cases, the admissibility of evidence related to a complainant's sexual experience, intensive correction orders, trial directions, & mental illness. The afternoon focuses on CPD core areas with an expert panel of accredited specialists covering cross examinations, ethics & more.

## SESSION 1: HOT TOPICS IN CRIMINAL LAW

4 CPD UNITS      OND2011N04A      \$490

Chair: **Ian Lloyd QC**, Trust Chambers; Recommended Criminal Law Senior Counsel, *Doyle's Guide* 2020

### The Role and Admissibility of Psychological Reports Regarding Child Behaviours in Sexual Assault Cases

Presented by Her Honour Judge Penelope Wass SC

### Distortion and Unfairness: Section 293 Criminal Procedure Act and the Admissibility of Evidence Relating to Sexual Experience of a Complainant

A discussion of the Court of Criminal Appeal's recent decision in *Jackmain (a Pseudonym) v R* [2020] NSWCCA 150 upholding the constitutional validity of s.293 CPA and considering the impacts of the section on an accused's right to a fair trial.

Presented by **Sian McGee**, Barrister, Maurice Byers Chambers

### Trial Directions: A Road Map

- An examination of trial directions and warnings that arise at various stages of a criminal trial
- Updates on recent cases relevant to trial directions

Presented by **Cara Feiner**, Barrister, Black Chambers

### Navigating Intensive Correction Orders

A discussion of the development of the law concerning ICOs since the decision of *Pullen v. R* [2018] NSWCCA 264.

- Community protection
- Aggregate sentences
- The impact of Form 1 offences

Presented by **Jane Paingakulam**, Barrister, Denman Chambers

### Professional Skills

### The Medical Perspective: Mental Illness and the Criminal System

- Current issues (COVID-19)
- Services within prison
- Reports for court
- Psychologist or psychiatrist?

Presented by **Dr Leon Turnbull**, Forensic Psychiatrist

## SESSION 2: CPD COMPULSORY UNITS FOR CRIMINAL LAWYERS

3 CPD UNITS      OND2011N04B      \$405

Chair: **Sam Macedone**, Principal, Macedone Legal

### Professional Skills

#### Mastering the Art of Cross Examination

- How to prepare and structure cross-examination
- Tips on conducting an effective cross-examination
- Special circumstances that require additional vigilance, such as cross-examination of experts, children and other vulnerable or special witnesses
- How to deal with objections to questions in cross-examination

Presented by **Andrew Boe**, Barrister, Black Chambers

### Ethics & Professional Responsibility

#### Ethical Issues and Complaints against Criminal Law Practitioners

- Professional misconduct / Unsatisfactory professional misconduct / Consumer disputes
- What you need to know if a complaint is made about you
- The complaints process
- Potential outcomes
- Recent cases
- Resources for lawyers facing a complaint

Presented by **Karen Espiner**, Partner, Younes + Espiner Lawyers; Accredited Specialist in Criminal Law; Preeminent Criminal Defence Lawyer, *Doyle's Guide* 2019

### Practice Management & Business Skills

#### Acting for Clients with Mental Health Issues

Analyse and discuss the new *Mental Health and Cognitive Impairment Forensic Provisions Act* 2020 and how this will impact on your practice.

- Explore the most effective ways to communicate successfully with your clients under difficult and often stressful circumstances

Presented by **Maria Walz**, Principal, Maria Walz Legal; Accredited Specialist in Criminal Law

# WORKPLACE LAW SYMPOSIUM: THE CRUCIAL ISSUES OF 2020

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND20N1103

Employment lawyers and HR personnel are facing ever demanding challenges as the workplace landscape continuously shifts to counter balance the current climate. It is critical that you remain on top of these changes in the employment sphere. Gain essential knowledge from our panel of experts as they delve into the most topical workplace issues today, including the Fair Work Act 2009, insights on termination and unfair dismissal claims, underpayment and wage theft, contractual concerns, discrimination and more!

## SESSION 1: THE CRITICAL DEVELOPMENTS OF 2020

4 CPD UNITS      OND2011N03A      \$490

Chair: **Jeffrey Phillips SC**, State Chambers

### How 2020 has changed the Employment Law Landscape


Examine the temporary and permanent changes to the *Fair Work Act* 2009 and awards as a result of the remarkable events of 2020, and consider:

- Issues arising under the revised JobKeeper Scheme
- Pandemic leave and annual leave flexibility
- Anticipated reforms arising from the IR working groups, including to casual and fixed term employment, award simplification, enterprise agreement making, compliance and enforcement and greenfield agreements

 Presented by **Dimitry Leahy**, Special Counsel, Colin Biggers & Paisley

### *Rosato v Workpac*: Casualisation

- What the fuss is all about
- How this impacts existing arrangements
- What should employers be doing in relation to casual employees?

 Presented by **Alice DeBoos**, Managing Partner, Kingston Reid

### Future Proofing the Workplace: How COVID-19 Changed the Landscape Forever

- Revisiting location of work; flexibility; hours of work and responsibility terms
- Hot-desking and collaborative work-spaces: things of the past or in a new dimension?
- Refusing to return to the office or shared workplace: a new workplace right, risk or opportunity?
- Employer liability and managing emerging risks in these times of workplace change
- WHS in the home and other places of work; what employers and employees need to know

 Presented by **Darren Gardner**, Partner, Bartier Perry


### Contractual Concerns in the Current Climate

- Ensuring flexibility in contractual terms pre and post COVID-19
- Offers of employment
- Effecting variations to employment terms
- Essential terms of contracts
- Concluding the employment relationship

 Presented by **Ben Motro**, Partner, Piper Alderman

### Addressing Underpayment and Wage Theft Claims

- Introduction of wage theft legislation
- In what circumstances can a director or manager be penalised for wage underpayments?
- Can you act for the company and the director?
- What are principles as to the ordering of penalties?

 Presented by **Ian Latham**, Barrister, Denman Chambers

## SESSION 2: URGENT CONCERNS – TERMINATION, DISCRIMINATION, AND INVESTIGATIONS

3 CPD UNITS      OND2011N03B      \$405

Chair: **Judith Healy**, Partner, JH Law

### Workplace Investigations: Challenging the Norm

- Are investigations legally necessary?
- What do investigations achieve anyway?
- Conducting an effective process for the business
- Evidence dilemmas: how to navigate and not get distracted by legal principles
- Considering investigation in the whistle-blower world

 Presented by **James Mattson**, Partner, Bartier Perry

### Termination of Employment: When Dismissal Becomes Unfair

In this session you will review the obligations faced by an employer when subject to an unfair dismissal application under the *Fair Work Act* 2009.

- A comparison of the different claims available to a dismissed employee, including unfair dismissal, adverse action, discrimination and contractual claims
- When does a conduct dispute become a redundancy dispute?
- The redundancy crisis post COVID-19
- Abandonment: Termination or resignation?
- Constructive dismissal
- Casuals and dismissal
- Common contractual issues

 Presented by **Elizabeth Devine**, Principal, Devine Work at Law

### Discrimination and Adverse Action Claims

This session will explore the vexed intersection of depression, capacity and the real reason for dismissal, including reviewing the Full Bench decision in *Western Union Business Solutions v Robinson* [2019] FCAFC 181.

 Presented by **Amber Sharp**, Partner, McCullough Robertson Lawyers

## YOUR EXPERT GUIDE TO DISCRIMINATION AND ADVERSE ACTION CLAIMS

RECORDED IN MARCH 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND203N25

Keep up with key developments in discrimination law and gain insights on the latest adverse action cases, employer liability issues, exemptions under federal and state discrimination laws, the impact of the religious discrimination bill and much more. This is a must attend seminar for all lawyers practising in employment law, in-house counsel and human resources professionals.

Chair: Judith Healy, Partner, JH Law

### A Year in Review! Case Developments in the Adverse Action Jurisdiction

An essential examination of the most significant recent decisions on adverse action and key learnings to consider when providing advice, and key developments to immediately include in your practice.

Presented by **Alex Grayson**, Principal Lawyer, Maurice Blackburn Lawyers; Leading Employment Lawyer (Employee & Trade Union Representation), *Doyle's Guide* 2019

### Legislative Update: Religious Discrimination Bill & the Impact on the Workplace

Review the scope and operation of the Bill (which may be an Act by March 2020).

Presented by **Amber Sharp**, Workplace Relations Partner, Bartier Perry; Recommended Employment Lawyer (Employer Representation), *Doyle's Guide* 2019

### Interpretation of Federal and State Discrimination Laws: Employer Liability and the Exemptions

- The purpose and effect of exemptions and defences in discrimination laws
- General exemptions: carve outs from the operation of discrimination laws
  - Special measures: charities, religious and voluntary bodies
  - Public health
  - Superannuation and insurance
  - Compliance with specific laws
- Exemptions specific to particular areas or grounds
  - Inherent requirements of the job
  - Unjustifiable hardship
- Temporary exemptions granted by the AHRC or State bodies
  - When to apply? When will an exemption be granted? The conditions

Presented by **Elizabeth Devine**, Principal, Solicitor and Workplace Relations Consultant, Devine Law at Work

### Pleading your Way to Success: Adverse Action and Discrimination Claims

Claims of these kinds have been plagued by strike-out motions. Let's get back to basics and apply the legal principles to the pleading so as to:

- Avoid the necessity to re-plead
- Understand the jurisdictional hurdles
- Own the narrative

Presented by **Elizabeth Raper SC**, 5 Wentworth Chambers; Senior Adjunct Lecturer, University of Sydney; co-author, *Discrimination Law and Practice*, The Federation Press; Preeminent Employment Law Junior Counsel, *Doyle's Guide* 2019

## PLANNING, ENVIRONMENT AND DEVELOPMENT LAW ALERT

RECORDED IN SEPTEMBER 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND209N16

Get the latest updates on critical new planning and environment legislation, key developments arising from the pandemic, and the important takeaways from the latest cases. Examine how development contributions, voluntary planning agreements and developer levies are being navigated right now while infrastructure is in the spotlight in NSW. Finally, get up to date on the latest developments with building standards, certifications and development.

Chair: Alice Spizzo, Director, Landerer & Company

### Planning and Environment Update: Key Measures, Critical Developments & the Latest Cases

- Planning reform: developments and changes arising from the pandemic and the implications now and going forward
- Examine the latest environment and planning cases and the key takeaways

Presented by **Breellen Warry**, Partner, Holding Redlich Lawyers

### Development Contributions in the Current Environment

- Summary and analysis of the types of development charges in property development
- Voluntary planning agreements
- Relevant case law and strategies for dealing with developer levies

Presented by **Robert Wilcher**, Partner, Hicksons Lawyers

### Regulation of Building Standards and Certificates: Building Issues Update

- Changes to the way the NSW Government will regulate the design and construction of new buildings and the practical implications
- The *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020* and the *Design and Practitioners Act 2020*
- What the changes mean for the planning and environment sector, builders, developers and others

Presented by **Christine Jones**, Partner and **Peter Holt**, Special Counsel, Holding Redlich; Accredited Specialist in Planning and Local Government Law

# WATER SYMPOSIUM 2020

RECORDED IN OCTOBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2010N13

Catch up on legal & regulatory issues affecting water use & allocation and hear from NSW regulators on compliance & enforcement. Learn about the Dams Project & review NSW legislation, regulations, sharing plans & inquiries. Explore Indigenous knowledge of water & how to incorporate it into water management. Hear from the ACCC about the interim findings of its water markets review & from IPART about regulating licenses under WICA. Examine urgent issues related to water markets, drought & climate change.

Chair: **Ilona Millar**, Partner, Baker McKenzie

## REGULATION AND ENFORCEMENT OF WATER LAWS IN NSW

### Compliance, Enforcement and Prosecution for Unlawful Water Take in NSW

- Outcomes from recent NRAR prosecutions
- NRAR's compliance and monitoring programs including use of spatial data & other technologies
- Case study

Presented by **Kirsty Ruddock**, Director, Regulatory Investigations and Compliance, Natural Resources Access Regulator, Department of Industry NSW and **Nina Lucas**, Principal Legal Officer - Natural Resources Access Regulator

### The Politics of NSW Water in 2020: An Audit and Assessment of Legislation, Regulations, Sharing Plans and Inquiries

- An overview of water legislation and regulations introduced in 2020
- Political pinch points in water
  - Transparency
  - Basin regulated water sharing plans
  - Floodplain harvesting
- Responses to drought and climate change

Presented by **Justin Field**, Independent Member, NSW Legislative Council

## PANEL DISCUSSION

### Water Management and the Importance of Good Governance for Compliance and Enforcement

Panelists:

**Ilona Millar**, Partner, Baker McKenzie

**Dr Emma Carmody**, Special Counsel, Environmental Defenders Office; Legal Advisor, Secretariat of the Ramsar Convention on Wetlands

**Kirsty Ruddock**, Director, Regulatory Investigations and Compliance, Natural Resources Access Regulator, Department of Industry NSW

**Wilfred Finn**, Associate Director and General Counsel, Aither

## INDIGENOUS RIGHTS OVER WATER AND WATER MANAGEMENT KNOWLEDGE

Chair: **Dr Celine Steinfeld**, Director, Wentworth Group of Concerned Scientists

### First Nations and Water Law

An examination of the native title rights in relation to water, including some consideration of the prioritisation of native title rights and other use rights

Presented by **Tony McAvoy SC**, Frederick Jordan Chambers

### Indigenous Knowledge and Cultural Values of Water

- Historical challenges in integrating First Peoples' cultural values into water planning and management
- Examine Indigenous research methodologies providing solutions in water management
- Explore the opportunities for First Peoples and water ownership

Presented by **Associate Professor Bradley Moggridge**, Acting Pro Vice-Chancellor, Indigenous and Director, Ngunnawal Centre, Office of Aboriginal and Torres Strait Islander Leadership and Strategy, Canberra University

### Human-Rights Based Approach to Water Law in Australia: Limits and Possibilities

- Explore whether a human rights-based approach to water advances the rights of First Nations Peoples in Australia
- Analyse the existing human rights legislation in Australia and whether it can be used to achieve 'water justice'

Presented by **Dr Emma Carmody**, Special Counsel, Environmental Defenders Office; Legal Advisor, Secretariat of the Ramsar Convention on Wetlands

## WATER MARKETS: CURRENT AND FUTURE

### Interim Findings of the ACCC Review of Water Markets

- Analysis and discussion of the growth of water markets in the Murray-Darling basin including increase in annual turnover
- Implication of the increased value of water markets to irrigators and communities in the Basin
- Discussion of the inadequacy of the relationship between the development of governance and institutional frameworks and the pace of growth of water markets
- Reforms required to improve the operation of these markets

Presented by **Mick Keogh**, Deputy Chair, Australian Competition & Consumer Commission

### Regulating Licenses under the Water Industry Competition Act 2006 (NSW) (WICA)

- An overview of the WIC Act framework
- Key challenges that you need to be aware of, for IPART in its regulatory role
- WICA and regulation of water prices

Presented by **Ben Strate**, General Counsel, IPART NSW

## PANEL DISCUSSION AND Q&A

### Water Markets, Drought and Climate Change: Q&A

Facilitator: **Dr Celine Steinfeld**, Acting Director, Wentworth Group of Concerned Scientists

Panelists:

**Professor Bruce Thom AM**, Emeritus Professor, University of Sydney, President, Australia Coastal Society

**Justin Field**, Independent Member, NSW Legislative Council

**Wilfred Finn**, Associate Director and General Counsel, Aither

**Bradley Moggridge**, Kamilaroi Water Scientist, Associate Professor in Indigenous Water

## 7 ATTEND THE FULL DAY AND EARN

7 CPD units in Substantive Law



# FAMILY LAW INTERDISCIPLINARY ISSUES: TAX, SUPER AND CRIME

RECORDED IN SEPTEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND209N09

You will examine how to deal with future and unrealised tax liabilities, superannuation pool and complex trust structures in property settlements and financial settlements. Learn how to deal with unrelated and ongoing criminal proceedings and AVO's in parenting matters and the admissibility of evidence, plus hear from Judge Morley of the Federal Circuit Court of Australia on the court's approach to criminal offending on property proceedings and financial settlements.

## SESSION 1: TAX, SMSFS AND TRUSTS IN PROPERTY SETTLEMENTS

4 CPD UNITS      OND209N09A      \$490

Chair: **Gayle Meredith**, Principal, Gayle Meredith & Associates;  
Accredited Family Law Specialist

### Managing Tax in Family Law Property and Financial Settlements

 Presented by **Peter Bobbin**, Principal Lawyer, Coleman Grieg

### Dealing with Unrealised Tax Liabilities to Produce Equitable Outcomes

- What has changed since Rosati
- Unrealised and hidden tax liabilities you should be aware of
- Why and how unrealised tax liabilities should be recognised by the Family Court
- How to deal with unrealised tax liabilities to produce an equitable outcome

 Presented by **Nick Gaudion**, Director Forensic Accounting, Cutcher & Neale;  
Part-time Member of the Administrative Appeals Tribunal

### Dealing with Superannuation Interests in Family Law

- If arguing contributions to superannuation interests, what is the best evidence?
- How to allocate the value of a superannuation interest to periods outside cohabitation?
- A better approach to instructing your expert in superannuation matters
- Tips, tricks and outcomes for each spouse when splitting defined benefit interests

 Presented by **Jeff Mephram**, Forensic Accountant, Cutcher & Neale

### Trusts and Family Law

- When is it property or a financial resource?
- S106B
- Part VIIIAA of the *Family Law Act*
- Getting access to the information about the Trust
- What defences can be run by Trustees?

 Presented by **Rose Lockie**, Partner, Gadens; Accredited Family Law Specialist


## SESSION 2: FAMILY LAW AND THE INTERSECTION WITH CRIMINAL LAW

3 CPD UNITS      OND209N09B      \$405

Chair: **Alison Stenmark SC**, Wardell Chambers


### Impact of Unrelated and Ongoing Criminal Matters on Interim Parenting Orders

- Impact on interim parenting orders, including when one parent is incarcerated or on remand
- Parental alienation
- Risk to children and supervision
- Criminal convictions and the effect on "future needs"
- Property settlement and the treatment of proceeds of crime
- Urgent Intervention Matters
- Section 114 restraints
- Recent Court of Appeal decisions

 Presented by **Alicia Elliott**, Director, Holmes Donnelly and Co; Accredited Specialist in Family Law and **Renee Smith**, Associate, Holmes Donnelly and Co; Accredited Specialist in Family Law

### AVOs and Family Law Parenting

- How AVO's are dealt with by the Family Court?
- What does the court will take into account
- Evidence required
- Can these orders be over written
- Procedural issues and best practice

 Presented by **Shannon Rogers**, Partner, Barkus Doolan Family Law; Accredited Specialist in Family Law

### Admissibility of Evidence: s128 Evidence Act

- When can an s128 Certificate be sought?
- Reasons for the court's refusal
- Why it's important to consider in an Appeal proceeding

 Presented by **Ian Coleman SC**, Culwulla Chambers

### The Intersection of Criminal Offending on Family Law Property Proceedings and Financial Settlements

 Presented by **Judge Dillon Morley**, Federal Circuit Court of Australia

# FAMILY LAW FORUM: HIGH-VALUE & COMPLEX PROPERTY AND FINANCIAL SETTLEMENTS

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2011N23

A high-value and complex property family law practice brings a unique set of issues to challenge even for the most experienced specialist. Assets are commonly wrapped up in intricate ownership structures, add backs and adjustments can be complex. How does Stanford impact? What is the impact of insolvency on the available assets? Deciding how to deal with contributions before, during the marriage and after separation. How best to draft and use Binding Financial agreements instead of a consent order.

## SESSION 1: IDENTIFYING AND DIVIDING UP THE ASSETS

4 CPD UNITS      OND2011N23A      \$490

Chair: **James Richardson**, Special Counsel, Dimocks Family Lawyers; Accredited Family Law Specialist

### Looking Beyond the Veil: Identifying the Real Assets – Who Owns What?

Not all cases fit the 'house and garden' mould where assets are held in the names of one or both of the parties, thus making the identity and valuation of those assets a relatively straightforward task. More often than not parties have interests in companies, trusts, self-managed superannuation funds, and other entities. And those entities may own valuable assets. Now it gets trickier. Examine and discuss:

- Identifying the ownership structure
- Working through complex company and trust arrangements
- Identifying the assets, the liabilities and the contingencies
- Third party interests: To join or not to join?
- Issues in completing the balance sheet
- Practical issues: disclosure, valuers, file management and other frustrations
- Relevant recent cases

Presented by **Cathie Blanchfield**, Solicitor Director, Blanchfield Nicholls Partners; Leading Family & Divorce Lawyer, *Doyle's Guide* 2020

### Treatment of Assets That Have Gone (Where are we at with Addbacks?)

- Alternate ways of dealing with dissipation
- Categories where assets may be notionally added back into the pool
  - Paid legal fees
  - Premature distribution of matrimonial assets
  - Wastage
- Relevant recent cases

Presented by **Jacqueline Dawson**, Principal Solicitor, Sexton Family Law; Accredited Family Law Specialist; Recommended, Parenting and Children's Matters Lawyer, *Doyle's Guide* 2020

### Stanford: Roadblock or Speed Bump?

Join a discussion of the Stanford principle and, most importantly, a guide to its practical application.

Presented by **Irene Morozov**, Partner, Barkus Doolan Family Lawyers; Accredited Family Law Specialist; Leading Family & Divorce Lawyer and Recommended Family Lawyer (High-Value & Complex Property Matters), *Doyle's Guide* 2020

### Insolvency and its Impact on the Matrimonial Asset Pool

- Extent to which the Trustee has access to property
- Exceptions
- Access to documents

Presented by **Sharna Clemmett**, Barrister, Greenway Chambers

### Dividing up the Assets with Short vs Long Term Relationships

- When do you treat the assets separately or as part of the pool?
- How do you treat those 3-8 year relationships?

Presented by **Phillip Friedlander**, Barrister, Frederick Jordan Chambers

## SESSION 2: WEIGHT OF CONTRIBUTIONS, BFA'S AND BINDING SUPPORT AGREEMENTS

3 CPD UNITS      OND2011N23B      \$405

Chair: **Annette Wilson**, Partner, Swaab, Accredited Family Law Specialist; Recommended Family & Divorce Lawyer and Recommended Parenting & Children's Matters Lawyer, *Doyle's Guide* 2019

### Redundancy, Personal Injury Payments and Future Earnings

- Defining the payments
- How is the contribution assessed
- Is it an asset
- How does it affect any future needs adjustment
- Recent cases

Presented by **Glenn Thompson OAM**, Partner, Newnham Solicitors; Accredited Family Law Specialist; Leading Family & Divorce Lawyer, *Doyle's Guide* 2020

### Inheritance Before and After Separation

- Current case law on inheritances during relationships and after separation
- The Full Court's decision in *Jabour* and the emphasis of a 'holistic assessment' in the context of inheritance cases
- The Court's treatment of prospective inheritances
- How to protect inheritances from family law claims and what to remember when advising clients

Presented by **Sheridan Emerson**, Partner, Pearson Emerson Family Lawyers; Accredited Family Law Specialist; Leading Family Lawyers (High-Value & Complex Property Matters), *Doyle's List* 2020 and **Louise Carter**, Senior Associate, Pearson Emerson Family Lawyers; Family Law Rising Star, *Doyle's Guide* 2020

### Binding Financial Agreements: Pre and Post Thorne & Kennedy

The journey since the High Court decision of Thorne and Kennedy:

- Finding the ties that bind
- Managing those expectations
- Drafting detailed love letters
- Choosing Consent Orders or a BFA when that loving feeling is lost

Presented by **Maurice Edwards**, Special Counsel, Watts McCray Lawyers; Accredited Family Law Specialist, Nationally Accredited Mediator and Accredited Arbitrator

### Child Support (Assessment) Act Amendments, Binding Support Agreements: Overview of Some Common Problems

Consider some of the practical implications of drafting complex child support agreements, including in relation to the July 2018 reforms.

- Does the agreement achieve its intended purpose?
- Can it be accepted and implemented by the Child Support Registrar?
- Is it drafted to adequately deal with the (routine) changes that parents and their children experience in the life of a child support case?
- Should lump sum orders be considered?

Presented by **Brett Walker-Roberts**, Senior Policy Advisor, Services Australia

## FAMILY LAW FINANCIAL SETTLEMENTS

RECORDED IN JUNE 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND206N41

Spend an afternoon exploring financial settlements, in particular, discussing addbacks, binding financial agreements and the legislative impacts of amendments to the *Child Support (Assessment) Act* on the drafting of binding child support agreements.

Chair: **Madeleine Bridgett**, Barrister, 6 St James Hall Chambers

### Addbacks in Family Law Property Settlement Proceedings

A discussion of the current position. Did they disappear and are now making a comeback or did they ever truly leave?

Presented by **Irene Morozov**, Partner, Barkus Doolan Family Lawyers; Accredited Specialist in Family Law; Leading Family & Divorce Lawyer and Recommended Family Lawyer (High-Value & Complex Property Matters), *Doyle's Guide* 2020

### Are Binding Financial Agreements Dead?

The decision in *Thorne & Kennedy* was thought to have brought about the death of Binding Financial Agreements, a thought that has been somewhat borne out by many firms refusing to do them.

- Are they really dead (and, if not, should they be)?
- Or do they remain a useful tool to be used by lawyers to provide clients with certainty, either at the start or the end of the relationship?

Presented by **Malcolm Gittoes-Caesar**, Principal/Director, Head of Family Law, Coleman Greig Lawyers; Accredited Specialist in Family Law; *Lawyers Weekly* 2019 Family Law Partner of the Year

### Child Support (Assessment) Act Amendments, Binding Support Agreements and Common Drafting Issues

- Consider the 2018 amendments to the *Child Support (Assessment) Act* ('the Act') and their impact on the drafting of binding child support agreements
- Gain practical drafting tips that address the issues that often arise with these technical documents
- Obtain information to help you prepare agreements that are compliant with the legislation, able to be accepted by the Child Support Registrar, and drafted to respond to routine changes that happen in the lives of parents and their children, such as care and income, for example

Presented by **Brett Walker-Roberts**, Senior Policy Advisor, and **Amanda Nates**, Policy Officer, Child Support Program Branch, Services Australia

## FAMILY LAW DRAFTING INTENSIVE

RECORDED IN MARCH 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND203N43

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, spousal maintenance and child support applications, as well as interim parenting applications and complex parenting consent orders.

Chair: **Jacqueline Dawson**, Principal Solicitor, Sexton Family Law; Accredited Specialist in Family Law; Recommended Parenting & Children's Matters Lawyer, *Doyle's Guide* 2019

### Understanding the Elements of a Binding Financial Agreements and Binding Child Support Agreements: Steps to Precision Drafting

- A guide to avoiding drafting errors and strengthening your BFA drafting: common tips and traps
- 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?

Presented by **Jackie Vincent**, Managing Director, Watts McCray Lawyers; Accredited Specialist in Family Law; Leading Family & Divorce Lawyer, *Doyle's Guide* 2019

### Step by Step Guide to Drafting Spousal Maintenance and Child Support 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 **Gabrielle Gathercole**, Solicitor-Director, Abrams Turner Whelan; Accredited Specialist in Family Law; Leading Parenting & Children's Lawyer and Recommended Family Lawyer, *Doyle's Guide* 2019

### Drafting Interim Parenting Applications and Complex Parenting Consent Orders

- Identifying and avoiding drafting errors
- Ensuring your orders and agreements are enforceable
- Common scenarios and key takeaways

Presented by **Mark MacDiarmid**, Principal, Mark MacDiarmid Family Law Specialist; Accredited Specialist in Family Law; Recommended Parenting & Children's Matters Lawyer, *Doyle's Guide* 2019

# 10 POINTS IN ONE DAY: GOVERNMENT PRACTICE

RECORDED IN FEBRUARY 2020 IN ACT  
UP TO 10 CPD UNITS [>click here to see online](#)

\$960  
OND203C02

One day. A dozen carefully selected topics covering the most important issues facing public sector lawyers. Sixteen leaders in the area assembled in one place to share their knowledge. And every single one of your CPD points complete in one information-packed day. The maths adds up: once again this is another can't miss conference.

## SESSION 1: GOVERNMENT CONTRACTS AND PROCUREMENT

3 CPD UNITS      OND203C02A      \$405

Chair: **Paul Armarego**, Special Counsel, Mills Oakley Lawyers; Recommended Corporate, Commercial & Procurement Lawyer, *Doyle's Guide* 2018

### Understanding Government Contracts and the Underpinning Legal Framework

Presented by **Alexandra Wedutenko**, Partner, Clayton Utz; Leading Corporate, Commercial & Procurement Lawyer, *Doyle's Guide* 2018

### Big Data in Government Contracts

Presented by **Jane Supit**, Senior Executive Lawyer, Australian Government Solicitor

### Tender Bender: Legislation to Challenge Commonwealth Tendering Practices and Decisions

Presented by **Dr Ashley Tsacalos**, Partner, Clayton Utz

## SESSION 2: CPD CORE AREAS FOR GOVERNMENT LAWYERS

3 CPD UNITS      OND 203C02B      \$405

Chair: **Philip Walker SC**, Blackburn Chambers; Leading Commercial Litigation & Dispute Resolution and Recommended Wills & Estates Litigation Senior Counsel, *Doyle's Guide* 2018

### Professional Skills

#### Working with Legislation

Presented by **Mary Toohey**, Parliamentary Counsel, ACT Parliamentary Counsel's Office

### Practice Management & Business Skills

#### Data Security: What Government Lawyers Need to Know

Presented by **Harry Cheema**, Lead Director – Cyber Risk, Deloitte

### Ethics and Professional Responsibility

#### A Government Lawyer's Duties and Resisting the Temptation to Bend the Truth

Presented by **Greg Stretton SC**, Blackburn Chambers

## SESSION 3: PRIVACY AND INFORMATION REQUESTS

2 CPD UNITS      OND203C02C      \$295

Chair: **Sean King**, Director, Proximity Legal; Recommended Corporate, Commercial & Procurement Lawyer, *Doyle's Guide* 2018

### Privacy Law Legislation Update

Presented by **Katherine Armytage**, Special Counsel, Maddocks

### How to Effectively and Efficiently Handle Information Requests

Presented by **Dana Sutton**, Assistant Secretary, Legal & Assurance Branch, Department of Finance

### Public Interest Disclosures in Practice

Presented by **Paul Pfitzner**, Senior Assistant Ombudsman, Commonwealth Ombudsman

## SESSION 4: DECISION MAKING AND PUBLIC INTEREST IMMUNITY

2 CPD UNITS      OND203C02D      \$295

Chair: **Vince Sharma**, Partner, Mills Oakley

### Public Interest Immunity: Key Principles, Practices and Procedures for Protecting the Public Interest

Presented by **Irene Sekler**, Senior Executive Lawyer, Australian Government Solicitor

### The Art of Good Decision Making

Presented by **Will Sharpe**, Partner, MinterEllison

### Artificial Intelligence in Government Decision Making

Presented by **Daniel Stewart**, Consultant, HWL Ebsworth and Senior Lecturer, Australian National University – School of Law

## 10 ATTEND THE FULL DAY AND EARN

7 CPD units in Substantive Law  
1 CPD unit in Practice Management & Business Skills

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Professional Skills


# GOVERNMENT LITIGATION REVIEW

RECORDED IN AUGUST 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND208N14


This seminar will prepare you and your Department for responses to Royal Commissions and Boards of Inquiry in addition to providing practical guidance on how to run an AAT hearing in the current times. This is a must attend seminar for legal practitioners in Federal, State or Local Government Departments and Agencies, including legal advisers and practitioners handling disputes or litigation proceedings.

Chair: **Brenda Robbins**, Barrister, Murray Chambers


## Responding to a Royal Commission or Boards of Inquiry

- Preparing a department or agency's response
  - Advice and preparation of government witnesses
  - Privileges applying to government
  - Model litigant obligations
-  Presented by **Andrew Suddick**, Senior Legal and Contracts Manager, Agriculture Victoria Services


## Litigation Against Government Agencies

- Recent statutory inquiries which have resulted in large negligence actions against government agencies
  - Recent decisions in respect of negligence actions against government agencies for their responses to bushfires, flu outbreaks and shipwrecks and some of the considerations that courts have considered to establish a duty of care and causation
  - Statutory defences: sections 42 and 43A *Civil Liability Act* 2002
  - Recent consideration of the *Limitation Act* 1969
-  Presented by **Michael Sullivan**, Partner and **Maria Panos**, Special Counsel, Norton Rose Fulbright

## Running Administrative Appeals Tribunal Hearings in Current Times

- The role of the Tribunal
  - Reviewing the decision and new evidence
  - Model litigant obligations in the Tribunal
  - Running matters remotely
-  Presented by **Arran Gerrard**, Senior Lawyer, Australian Government Solicitor

## Appeals from Regulatory Decisions in the AAT to the Federal Court and Federal Circuit Court

- Drawing on examples relating to taxation, migration, citizenship and, professional and corporate regulation, gain insights on:
- Jurisdiction of courts
  - Drafting notices of appeal
  - New evidence on appeal
  - Applications to stay regulatory enforcement e.g. deregistration of tax agent; ASIC banning orders
  - Applications for extensions of time for review of regulatory decisions
-  Presented by **Michael Bersten**, Barrister, New Chambers


# EFFECTIVE DECISION MAKING IN PUBLIC LAW

RECORDED IN OCTOBER 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND2010N16


Walk away with the knowledge and skills to ensure your decisions withstand any level of scrutiny. Join a panel of leading administrative law practitioners and with them examine how to write a readable decision, the use of policy in Government decision making, the mechanics of challenging an administrative decision and recent significant court decisions affecting administrative practice.

Chair: **David Bennett AC QC**, 5 Wentworth Chambers


## Making Lawful, Justifiable, Defensible and Readable Decisions

- Improving the quality, efficiency and effectiveness of decision-making
  - Distinguishing between the questions to be answered and matters not directly relevant
  - How to write a readable decisions
-  Presented by **Suzanne Kirton**, Senior Member, VCAT


## The Use of Policy in Government Decision Making

- The proper approach to policy: using it as a guide rather than a binding principle of law
  - Relevant and irrelevant considerations: when government has to take policy into account
-  Presented by **Farhana Islam**, Senior Associate, Maddocks

## Challenges to Administrative Decisions

- The mechanics of challenges and reviews
  - Which review? Comparing merits and judicial review
  - Case studies and other examples
-  Presented by **Brenda Tronson**, Barrister, Level 22 Chambers

## Recent Decision Making and Administrative Law Review Cases

- Explore in detail recent significant superior court decisions affecting administrative Law practice and decision making.
-  Presented by **Julie Zhou**, Barrister, Howells' List Barristers



# MIGRATION LAW SYMPOSIUM

RECORDED IN MARCH 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND203N27

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

3 CPD UNITS      OND203N27A      \$405

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

4 CPD UNITS      OND203N27B      \$490

Chair: **Anne O'Donoghue**, Managing Director and Principal Lawyer, Immigration Solutions Lawyers, Accredited Specialist in Immigration Law

### 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, 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

# TRADE MARKS AND PATENTS CONFERENCE 2020

RECORDED IN MAY 2020 IN NSW

UP TO 6 CPD UNITS [>click here to see online](#)

\$690

OND205N03

Hear from leading trade mark and patent practitioners about the hottest issues while gaining your CP/CPD points from in-depth presentations covering the latest cases, legislation, trends and best practices. Explore the ethical issues shaping the modern IP world. Protect your practice and your client's IP through a practical cybersecurity workshop and take a deep dive into timely case studies.

## SESSION 1: TRADE MARKS UPDATE AND DEVELOPMENTS

3 CPD UNITS

OND205N03A

\$405

Chair: **Andrew Wiseman**, Partner, Allens; Leading Non-Contentious Intellectual Property Lawyer, *Doyle's Guide* 2019


### Style Names: The Pointy Ends of *Pinnacle v Triangl*

- What is a style name?
- The difference between a style name and a trade mark
- Determining use 'as a trade mark'
- Implications for businesses and trade mark owners

 Presented by **Sean McManis**, Principal, Head of Trade Marks, Shelston IP


### Useful Tips for Practitioners Appearing Before the Registrar of Trade Marks

- Hear the ins and outs of the process from an experienced hearings officer
- How trade mark disputes are decided
- Common mistakes and issues: tips, traps and advice
- What are your options?

 Presented by **Nicholas Smith**, Hearings Officer, Oppositions and Hearings, IP Australia

### Recent Issues in Trade Mark Ownership: A Case Law Update

- Registration of ownership not ownership by registration
- An intention to use at the priority date, but for what goods or service? And who is the user?
- Assignment of unregistered trade marks
- Unregistered assignments
- Evidence of first use and the Wayback machine

 Presented by **Sam Hallahan**, Barrister, 5 Wentworth Chambers; Recommended Intellectual Property Junior Counsel, *Doyle's Guide* 2020


### INTERNATIONAL KEYNOTE SPEAKER: Chinese Trade Marks Update: Updates, New Issues, Avoiding Headaches

- New regulations you need to be across
- 'Bad faith' issues
- Timely update on the OEM issue
- Explore the latest cases and what they mean for your practice
- Major administrative developments

 Presented by **Sandra Gibbons**, Consultant, Marks & Clerk, Hong Kong

### Trade Marks: Remedies and Procedures Update

- The latest developments in remedies and procedures in trade mark disputes
- IP Australia oppositions and hearings, and in the courts
- Breaking news on important trade mark cases

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

## SESSION 2: ADVERTISING STANDARDS REVIEW, LABELLING & WHAT IS MISLEADING

3 CPD UNITS


OND205N03C

\$405

Chair: **Ben Miller**, Partner, Maddocks; Leading Contentious Intellectual Property Lawyer, *Doyle's Guide* 2019

### Update on Patentable Subject Matter: Manner of Manufacture & Computer-implemented Inventions

- What is 'manner of manufacture' and why all the recent fuss?
- Case law update: *Encompass*, *Rokt*, *Repipe* & *Tettman*
- IP Australia's present position
- Crystal-ball gazing: What is the future for computer and/or software patents?

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


### Patents: Remedies and Procedures Update

- The latest developments in remedies and procedures in patent disputes
- IP Australia oppositions and hearings, and in the Courts
- Breaking news on important patent cases

 Presented by **Odette Gourley**, Partner, Corrs Chambers Westgarth


### PRACTICAL WORKSHOP: Protecting Your Client's Patents: A Cybersecurity Workshop

- How to protect highly sensitive client intellectual property
- Update on how cybersecurity threats are evolving
- How and why they can impact your IP practice
- What can you do to minimise cybersecurity threats in your IP practice?
- You've been hacked!! What to expect and what can you do

 Presented by **Jeremy Levy**, Partner, Agmon & Co. Rosenberg Hacohen & Co.; Chief Operating Officer and Co-Founder, Witz Cybersecurity

### Calculation of Damages in Patent Infringement Cases

- The principles for compensation
- *Bayer v Generic Health*; *Lundbeck v Sandoz*
- Innocent infringement
- Establishing entitlement to additional damages
- The Court's approach to compensation payable under a usual undertaking as to damages
- Analysis of the *Efexor* case

 Presented by **Jeremy Levy**, Partner, Agmon & Co. Rosenberg Hacohen & Co.; Chief Operating Officer and Co-Founder, Witz Cybersecurity

## INTELLECTUAL PROPERTY CONFERENCE

RECORDED IN MARCH 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND203N11

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

4 CPD UNITS      OND203N11A      \$490

Chair: **Brett Doyle**, Special Counsel, Clayton Utz

**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

3 CPD UNITS      OND203N11B      \$405

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 **Michael Hall SC** 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 & 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 & Business Skills

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Professional Skills

## ADVANCED EVIDENCE AND ADVOCACY MASTERCLASS

RECORDED IN FEBRUARY 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND202N04

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

4 CPD UNITS      OND202N04A      \$490

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

## Writing to Win: Persuasive and Effective Written Advocacy

- Drafting written submissions for appeals in the intermediate appellate courts
- Relationship between written submissions and later oral argument
- Observations on applications for Special Leave to Appeal to the High Court

Presented by **David Jackson AM QC**, New 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
- Revaluating 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

3 CPD UNITS      OND202N04B      \$405

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

## CHAIR AND OPENING REMARKS

 **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

# THE CIVIL LITIGATOR'S TOOLKIT

RECORDED IN AUGUST & NOVEMBER 2020 IN NSW  
UP TO 8 CPD UNITS [>click here to see online](#)

\$840  
OND208N13

**Master the art of drafting effective and persuasive pleadings and affidavits. Sharpen your skills when applying for interlocutory injunctions. Learn how to get the absolute most from expert witnesses. Work step by step through what you need to do to successfully prepare for trial. Hone your advocacy skills and gain insights into how to emerge successful in settlement negotiations and mediation.**

## SESSION 1: PLEADINGS, AFFIDAVITS, INJUNCTIONS & EXPERTS

4 CPD UNITS      OND208N13A      \$490

Chair: **Dr. Mark Brabazon SC**, 7 Wentworth Selborne Chambers

### Drafting Effective Pleadings: Examples, Checklists and Guides

- The theory of the case and why we have pleadings
- Organising content: material facts vs particulars
- Types of Pleadings: claims, defendants, replies and counterclaims
- Amendments and strike out: the when, the why and the how
- Drafting effective pleadings and some things to avoid

 Presented by **Frank Maconi**, Barrister, Fullagar Chambers

### Drafting Affidavits: Admissible, Relevant, Persuasive and Effective

- Fundamental considerations: Tell the whole story? Evidence about the issues in dispute?
- To what use is the evidence being put - interlocutory or final hearing?
- Admissibility: form, hearsay, relevance (to the issues in your application), conclusion, opinion
- A guide to preparing your affidavit evidence

 Presented by **Andrew Bailey**, Barrister, Frederick Jordan Chambers

### Applications for Interlocutory Injunctions: Winning the Battles to Win the War

- Assessing whether to apply for an injunction
- Damages as an adequate remedy and balance of convenience considerations
- The 'usual undertaking as to damages'
- Notice and ex parte applications
- Interlocutory orders after trial but before judgment
- Freezing orders, ancillary orders and search orders
- Understanding, applying and meeting the evidentiary burden

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

### A Guide to Working with Experts

- Briefing experts
  - What do you brief them with? Crafting a detailed letter of instructions
  - What parts go to the experts and what should be disclosed to the other side? Relevant documents
- Engaging experts and ensuring they are prepared for court
- What is covered by privilege: instructions, draft report, information and past expert opinions
- Uniform Civil Procedure Guidelines
- Admissibility of reports

 Presented by **Michelle Campbell**, Barrister, Frederick Jordan Chambers

## SESSION 2: ADVOCACY, TRIAL & SETTLEMENT

4 CPD UNITS      OND2011N13B      \$490

Chair: **David Leggatt**, Principal, Coterminous Legal; Accredited Specialist in Commercial Litigation

### CHAIR AND OPENING REMARKS

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

### Putting it all Together: Practical Advocacy to Find Success

- Learn how to develop your skill at preparation and argument
- Navigating your way through the system
- Client needs and expectations
- Techniques in questioning
- Structure of arguments
- Communication in court

 Presented by **Gregory Burton SC**, 5 Wentworth Chambers

### A Guide to Preparing for Trial

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

 Presented by **Jason Betts**, Partner, Herbert Smith Freehills


### Settlement Fundamentals: Getting the Best Deal for Your Client

- Calderbank offers and offers of compromise: common mistakes, their consequences and how to avoid them
- Settlement rules: ensuring 'without prejudice' offers are indeed 'without prejudice'
- Challenging settlement agreements
- When is a settlement not a settlement?
- Case studies and practical, real world examples

 Presented by **Florence Mitchell**, Partner, Flo Mitchell Legal

### Negotiation and Mediation: Maximising Results

- Identifying the other party's goals and objectives
- Thinking outside the square
- Dealing with unhelpful mediators
- How to achieve more in negotiation and mediation

 Presented by **Michael Emerson**, Principal, Brisbane Mediations and Principal, Advice Only Family Law



## MEDIATION MASTERCLASS: POSITIVE RESULTS FOR PLEASED CLIENTS

RECORDED IN MARCH 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND203N42

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 apprised 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.*

## NCAT PRACTICE AND PROCEDURE


RECORDED IN MARCH 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND203N33

What better way to master your practice and procedure in the NCAT than to hear firsthand from the experts themselves? Pick up essential tips and tricks as a Deputy President, a Senior Member and leading barristers share their experience and provide practical guidance on the key issues faced when litigating in NCAT.

Chair: **Andrew Coleman SC**, Senior Member, New South Wales Civil and Administrative Tribunal

#### NCAT's Jurisdiction and Appearing in NCAT Matters

- Overview of NCAT'S jurisdiction and structure
- Ascertaining when NCAT proceedings should be commenced
- Appearing in NCAT matters: practical issues
- Procedural standards, requirements and considerations in NCAT matters

 Presented by **Mark Robinson SC**, Maurice Byers Chambers; author, *NCAT - Practice and Procedure*, Thomson Reuters

#### Professional Skills

##### Dispute Resolution in NCAT

- ADR in NCAT: mediation, conciliation, conclave and preliminary sessions
- What to expect and how to prepare
- Forms, documents and time frames
- What should be produced or discovered to the other side
- Getting the best deal for your client

 Presented by **Tom Davie**, Barrister, Queens Square Chambers

#### Professional Skills

##### Effective Advocacy in NCAT

- Persuasive advocacy in NCAT: What does it take?
- Knowing what to say and how to say it
- Cases conferences vs hearings

 Presented by **Richard Perrignon**, Barrister, Four St James

#### Appealing NCAT Decisions: What, Where, When and How

- Identifying the appropriate appeal court
- When is it a question of fact or law?
- What are appealable decisions?
- Practical tips and preparing for the appeal hearing
- Appeals on interlocutory decisions

 Presented by **Sarah Warren**, Barrister, 9 Windeyer Chambers

### 3 ATTEND AND EARN

3 CPD units in Professional Skills

### 4 ATTEND AND EARN

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

## THE NEW PERSONAL INJURY COMMISSION FORUM

RECORDED IN OCTOBER 2020 IN NSW \$295  
2 CPD UNITS [>click here to see online](#) OND2010N12


The New Personal Injury Commission will consolidate the dispute resolution systems of the Workers Compensation Commission and Compulsory Third Party insurance scheme. Hear from the Honourable Victor Dominello, Minister for Customer Service, Judge Gerard Phillips, inaugural President of the Personal Injury Commission as well as leading practitioners in the area. Learn about the changes that will happen and what you need to know to understand what this one-stop-shop tribunal will mean for your practice and your clients.

Chair: Belinda Cassidy, Special Counsel, Stacks Goudkamp

### Ministerial Address

 Presented by **The Honourable Victor Dominello**, Minister for Customer Service

### Plans for the New Personal Injury Commission

 Presented by **Judge Gerard Phillips**, Inaugural President, Personal Injury Commission

### PANEL DISCUSSION AND Q&A

#### Perspectives on the Anticipated Improvements and Challenges Resulting from the Establishment of the New Tribunal

 Panellists:

**Simon Cohen**, Workers Compensation Independent Review Officer

**Tim Concannon**, Partner, Carroll and O'Dea Lawyers

**Ian Jones**, Partner, Sparke Helmore

## CPD COMPULSORY UNITS FOR PERSONAL INJURY LAWYERS

RECORDED IN NOVEMBER 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND2011N09

Hone your skills in running an effective, efficient and paperless practice. Gain practical guidance for working with clients who have experienced trauma. Explore ethical issues for personal injury lawyers. Designed specifically for personal injury lawyers, attend this webinar to earn all the mandatory ethics, professional skills and practice management points before the end of the calendar year.

Chair: **Genna Angelowitsch**, Special Counsel, Adviceline Injury Lawyers; Accredited Specialist in Personal Injury Law

### Ethics & Professional Responsibility

#### Ethical Issues for Personal Injury Lawyers

- Ethical issues in the cyber age
- Ethical issues in obtaining client's instructions & how to minimize the risk of complaint
- Expert codes of conduct
- Certification of reasonable prospects of success in common law proceedings

 Presented by **Dennis Epstein**, Barrister, Second Floor Selborne Chambers

### Professional Skills

#### A Guide to Running a Paperless Personal Injury Practice

- What does it mean to go paperless?
- Essential concepts
- Essential equipment
- Tips and traps

 Presented by **Philippe Doyle Gray**, Barrister, 8 Wentworth Chambers

### Practice Management & Business Skills

#### Helping Lawyers Manage Secondary PTSD and Advice for Personal Injury Lawyers Working with Clients Who Have Experienced Trauma

- Understanding resilience and how to foster it
- What is secondary trauma and how do we get it?
- How can you prevent secondary trauma?
- How can you help our clients through their trauma?

 Presented by **Adam Blanch**, Psychologist, Nexus Psychology

## CURRENT CONCERNS IN MEDICAL NEGLIGENCE

RECORDED IN FEBRUARY 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND202N05

While advances in the health field have brought significant patient benefits, they have also introduced new challenges. Expand your knowledge of legal capacity issues, review the year's most significant cases, refresh your understanding of facilitating medical claims, and dissect the specific areas of risk for health professionals.

Chair: **Kevin Connor SC**, Maurice Byers Chambers

### Medical Negligence Case Update: A Discussion of Recent Cases

- Section 50 *Civil Liability Act 2002*
- Causation in medical cases
- Wrongful birth
- Intentional torts

Presented by **Karen Kumar**, Barrister, Maurice Byers Chambers

### Medical Law and the Mentally Ill

- Examine extensively the duty of care owed by health professionals to individuals suffering mental illness
- In what circumstances is that duty likely to be breached and causative of loss or damage?

Presented by **Clare Eves**, Medical Law Practice Leader, Shine Lawyers

### Matters of Life and Death: Inquests, Nervous Shock and Compensation

- Coronial inquests and investigations
- Nervous shock claims
- *Compensation to Relatives Act* claims

Presented by **Rebecca Tidswell**, Special Counsel, Carroll and O'Dea; Leading Medical Negligence Compensation Lawyer, *Doyle's Guide 2018* and **Jesikah Richardson**, Law Clerk, Carroll and O'Dea

## THE MEDICAL PERSPECTIVE

### Professional Skills

#### The Importance of Getting an Accurate History in a Medical Negligence Claim

Strategic considerations in running a medical negligence claim and establishing causation

- Normal versus disorder: Does the plaintiff qualify for a psychiatric disorder?
- Adjustment reaction versus disorder
- Normal versus pathological grief
- How experts decide and why they disagree

Presented by **Dr Lisa Brown**, Psychiatrist

### Professional Skills

#### Getting a Better Joint Expert Report in Medical Negligence Claims

- How to prepare
- The questions are the thing
- Why use a facilitator?
- Consequences of being prepared v briefing late

Presented by **Kerry Hogan-Ross**, Principal, Kerry Hogan-Ross Mediations and **Karen Stott**, Principal, ADR & Mediation Services

## 4 ATTEND AND EARN

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

## TPD AND SUPERANNUATION FOR PERSONAL INJURY LAWYERS

RECORDED IN OCTOBER 2020 IN NSW \$155  
1 CPD UNIT [>click here to see online](#) OND2011N11

Obtain a refresher on the law relating to TPD, income protection and death insurance policies and learn how COVID-19 and the findings of the Banking Royal Commission has impacted the law while also reviewing recent cases.

Chair: **Paul Watson**, Principal, Berrill & Watson

### TPD and Superannuation for Personal Injury Lawyers

- Overview of income protection, death and TPD policies – 2020
- Consequences of non-disclosure
- A review of recent cases
- How superannuation claims have been changed by the Banking Royal Commission
- Impact of COVID-19
- Exclusion clauses and the pandemic

Presented by **Hayriye Uluca**, Senior Associate & Super and Insurance State Litigation Leader (Victoria), Maurice Blackburn Lawyers

Presented by **Josh Mennen**, Principal Lawyer, QLD Super and Insurance Department, Maurice Blackburn Lawyers

## 1 ATTEND AND EARN

1 CPD unit in Substantive Law

## CIVIL CLAIMS FOR INSTITUTIONAL ABUSE: SETTLEMENTS, STAYS & DAMAGES

RECORDED IN OCTOBER 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND2010N03

ch up on the most urgent issues impacting institutional abuse claims from a varied panel of leading experts. Gain insights into when a court may set aside a past settlement agreement. Explore the ins and outs of how courts consider permanent stays of proceedings. Take a guided tour of the latest cases and awarded damages across the country. Master how to work effectively with experts, including how to utilise forensic accounting to improve your outcomes in your matters.

Chair: **Jed McNamara**, Special Counsel & Head of Abuse Law, Maurice Blackburn Lawyers

### Vicarious Liability in Abuse Claims

Presented by **Jed McNamara**, Special Counsel & Head of Abuse Law, Maurice Blackburn Lawyers

### Permanent Stays and Setting Aside Settlement Agreements

#### Setting Aside Settlement Agreements

With sexual abuse claims firmly in the public eye, it is critical for practitioners to understand when a court may consider it is 'just and reasonable' to set aside a past settlement agreement.

#### Permanent Stays

Whilst child sexual abuse claims are no longer statute barred following the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse, courts may consider permanent stays of proceedings in certain circumstances.

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

### Recent Awards of Damages from Around Australia: Case Analysis

Analyse how courts from several jurisdictions around Australia have recently assessed and awarded damages in institutional abuse cases, providing you with a guide to the potential impact on your matters and setting client expectations.

Presented by **Tim Hammond**, Barrister, Central Law Chambers

### Professional Skills

### Assessing Economic Loss and Forensic Accounting in Institutional Abuse Claims

- Strategies for effectively utilising forensic accounting analysis to assess damages
- Building lifetime earnings profiles
- Determining notional and actual earnings: sources of information
- Superannuation: statutory regime and occupational schemes
- Additional key issues to consider

Presented by **Mark Thompson**, Director – Forensic Services, Vincents Chartered Accountants

### Professional Skills

### Medico-Legal Assessments and Effectively Working with Experts

- Selection of experts
- Joint briefing of experts
- Briefing materials
- Client needs in relation to assessments: trauma informed guidelines
- Supporting clients through assessments
- What makes a good report?
- After the report: issues and how to resolve them

Presented by **John Ellis**, Solicitor and **Nicola Ellis**, Solicitor, Ellis Legal Lawyers

## 4 ATTEND AND EARN

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

## PERSONAL INJURIES: 3 STRATEGIES TO MAXIMISE DAMAGES

RECORDED IN SEPTEMBER 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND209N01

This one-of-a-kind program offers 3 offers industry experts who will dissect a key area related maximising a personal injury claim. Examine how damages are assessed by an actuarial with insights into wrongful death & dependency claims, superannuation losses, sexual abuse claims and more. Gain insights into how to interpret and apply the AMA Guides to maximise a permanent impairment claim. Finally, join Rob Taylor for a step by step guide to the legal strategies needed to maximise a personal injury claim.

Chair: **Michael Barnes**, Partner, Carroll & O'Dea Lawyers

### Professional Skills

### Assessment of Damages: An Actuarial Perspective

The assessment of damages is one of the most critical phases of a common law claim. Quantification often requires forensic and actuarial input, and knowing how to accurately assess complex decisions will undoubtedly achieve better results for your clients. Actuarial expert, Corey Plover, examines a number of areas of personal injury, with a focus on how to maximise the assessment of damages while maintaining consistency between legal and actuarial principles.

- Wrongful death and dependency claims
  - Revised personal consumption percentages, *Routley v Norris* [2016] NSWCA 367 and 5th edition revisions to Luntz's *Assessment of Damages for Personal Injury and Death*
- Cost of fund management
  - Alternate valuation approaches in spite of *Gray v Richards* [2014] HCA 40 and the appointment of public vs private trustees
- Superannuation losses
  - Cross jurisdictional differences and approaches (*Cremona, Jongen & Najdovski* approaches)
- Sexual abuse claims
  - Similarities and differences to other personal injury matters

Presented by **Corey Plover**, Actuary, Cumpston Sarjeant

### The Lawyer's Handbook to the AMA Guides: Evaluating Permanent Impairment

Now that the *AMA Guides to the Evaluation of Permanent Impairment* is the gold standard for determining permanent impairment in Australia, legal practitioners need their own practical guidance on navigating the framework and calculating a properly completed impairment rating report. This session is your comprehensive guide to interpreting and applying the guides, with a focus on working through real-life examples and scenarios to take into your own practice.

- Interpreting the guides
- Application of the guides
- How to maximise an impairment claim
- Worked examples: upper and lower extremities, scarring and digestive system and psychiatric impairment assessments

Presented by **Sha Hotchin**, Special Counsel and Legal Practice Manager, Shine Lawyers

### Maximising the Success and Value of Your Client's Claim

Rob Taylor, a practitioner with more than 36 years of experience in personal injuries litigation, the last 28 as a barrister, will break down how you can maximise your client's claim. In this unique session, Rob will share his insights on:

- Maximising your chances for success and the pitfalls to avoid
- Increasing the value of your client's claim
- Effectively preparing a claim for an injured Plaintiff
- Heading off or minimising the effect of the Defendant's evidence or tactics

Presented by **Rob Taylor**, Barrister, Jack Shand Chambers

## 3 ATTEND AND EARN

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

# WORKER COMPENSATION AND CTP UPDATE

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2011N19

Finish up the year by attending this timely roundup. In the morning session covering workers compensation you'll examine capacity for work, suitable employment, exiting the workers compensation system, PIAWE, psychological injuries and a critical case update. In the afternoon session on CTP claims you'll explore the latest liability decisions and income loss benefits and receive an in-depth guide to merits and judicial review of motor accident cases.


## SESSION 1: WORKERS COMPENSATION UPDATE

4 CPD UNITS      OND2011N19A      \$490

Chair: **Paul Macken**, Partner, Leigh Virtue & Associates; Recommended Public Liability Compensation Lawyers (Plaintiff) *Doyle's Guide* 2019


### Challenges for Lawyers and Clients of s32A of the 1987 Act

- What does 'current capacity for work' mean?
- What is considered 'suitable employment'?
- Aggregation of injuries

 Presented by **Jasmina Mackovic**, Partner, Workers Compensation Practice Group Leader, Slater & Gordon


### Workers Compensation: Exiting the System

- Ways you can choose to exit the system
- The ways in which the legislation causes workers to exit the system

 Presented by **Michael Vella**, Principal Lawyer, WIRO Workers Compensation Independent Review Office


### The Different Definitions and Evidentiary Requirements to Establish Pre-Injury Average Weekly Earnings (PIAWE)

- Definition of PIAWE prior to 1 January 2019 for injuries prior to 26 October 2018
- Effect of *Workers Compensation Legislation Amendment Act* 2018 Regulation
- Litigating PIAWE disputes
- Evidence in PIAWE disputes
- Role of Solutions Section of WIRO
- Recent decisions on PIAWE

 Presented by **Con Ktenas**, Lawyer, Stacks Goudkamp; Accredited Specialist in Personal Injury Law


### Update on Psychological Injury Claims

- From perception to pre-existing conditions: latest developments in the Workers Compensation Commission
- When is action reasonable and the challenges of section 11A
- From *Koehler* to *Briggs* and beyond: an update on work injury damages claims for psychological injury

 Presented by **Amanda Bond**, Partner, Gillis Delaney Lawyers; Accredited Specialist in Personal Injury Law; Pre-eminent Workers Compensation Lawyer and Leading Public & Product Liability Lawyer, *Doyle's Guide* 2019

### Workers Compensation Case Update

- Review of some recent decisions of the Court of Appeal, such as *Hochbaum and Hill*
- Analyse recent presidential decisions of the Workers Compensation Commission covering issues such as the law relating to grounds of appeal.
- Discuss some arbitral decisions addressing work capacity and section 38

 Presented by **Will Murphy**, Partner, Bartier Perry; Accredited Specialist in Personal Injury Law; Workers Compensation Lawyers (Defendant), *Doyle's Guide* 2019


## SESSION 2: CTP UPDATE

3 CPD UNITS      OND2011N19B      \$405

Chair: **Susan McTegg**, Executive Lawyer, Walter Madden Jenkins

### Liability Decisions in CTP Claims: Content and Concerns

- The legislative framework for CTP liability decisions
- Principles of decision-making
- Is there room for improvement?

 Presented by **Belinda Cassidy**, Special Counsel, Stacks Goudkamp


### Income Loss Benefits

- The legislative framework for economic loss in CTP claims
- Statutory benefits under the 2017 scheme
- Damages claims under the 1999 scheme and the 2017 scheme

 Presented by **Sarah Warren**, Barrister, 9 Windeyer Chambers

### An Updated Guide to Merits Review and Judicial Review in Motor Accident Cases

- A practical guide to the steps for:
  - An internal review
  - DRS applications
  - Merit review
- Avenues for judicial review when merits review fails or isn't available

 Presented by **Jnana Gumbert**, Barrister, Jack Shand Chambers; Recommended Insurance Junior Counsel *Doyle's Guide* 2019



# PROPERTY LAW CONFERENCE

RECORDED IN MARCH 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND203N02

Whatever property problem your clients bring your way this coming year, this comprehensive program will prepare you. Strata, conveyancing, retail & commercial leasing, tax, easements, privacy, new legislation, new cases: Sydney's leading experts have you covered. Gain all the updates you need in each of these key areas and more, plus gain your core area CPD points.

## SESSION 1: COMPREHENSIVE UPDATE OF CRITICAL DEVELOPMENTS

4 CPD UNITS      OND203N02A      \$490

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


### Key Property Law Developments Over the Last 12 Months

- Strata law update: new law, new cases
- Leasing update: important developments
- Conveyancing update: key takeaways from the last year

 Presented by **Gregory Sirtes SC**, 12 Wentworth Selborne Chambers

### Options to Purchase Land: Recent Cases & Best Practices

- Nature of options: remedies for default
- Formalities: put options and uncertainty
- Nomination: deemed assignment and stamp duty
- Exercising an option: How hard can it be?

 Presented by **Christopher Conolly**, Partner, HWL Ebsworth; Accredited Specialist in Property Law; author, *Land Acquisitions 7th Edition*, LexisNexis; *Best Lawyers 2019*, Retirement Villages


### Rescinding Under a Sunset Date Clause: Recent Cases Following the Introduction of s66ZL

- Insights from the practitioner who had carriage of the contracts involving the developer/vendor responsible for the introduction of the new sunset laws
- Guidance on the sunset law and recent amendments, including the criteria to be met when making an application to rescind after the sunset date
- Analysis of recent cases in this area
- Practical takeaways from the cases

 Presented by **Deborah Kent**, Special Counsel, Brown Wright Stein Lawyers; Accredited Specialist in Property Law

### Defects, Cladding and the Impact on Property Practitioners


- Cladding update and analysis of the legal framework
- Due diligence: relevance in acquisitions and disposals
- Case studies and Q&A with a fire protection expert

 Presented by **Leisha de Aboitiz**, Partner, Massons; Recommended Property & Real Estate Lawyer, *Doyle's Guide 2019* and **Craig Poulter**, Senior Fire Consultant – Cladding Team Leader, Omnii

### Hot Property Tax Issues you Must Know


Catch up on the critical changes in property tax over the past year that can have a direct and significant impact on your clients and your practice.

- Current GST and stamp duty issues for property transactions
- New land tax issues and the implications
- Other important and recent cases, changes and trends

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

### Property Market Snapshot: The Insights You Need to Know

- Insights into current market conditions for the Sydney property market
- The latest economic indicators and trends
- Analysis of the current market, possible trends to come, and the potential impact for lawyers and property professionals

 Presented by **Ben Martin-Henry**, Associate Director, Head of Capital Markets, Office & BTR, CBRE

## SESSION 2: CPD COMPULSORY UNITS FOR PROPERTY LAWYERS

3 CPD UNITS      OND203N02B      \$405

Chair: **Brooke Glastonbury**, Principal, Macpherson Kelley Lawyers; Accredited Specialist in Property Law

### Professional Skills

#### Modifying or Extinguishing a Covenant or Easement

- Navigating section 89 of the *Conveyancing Act 1919*
- Modifying or extinguishing covenants, easements, restrictions or obligations
- Practice and procedure: applications, notice and orders
- Examples, cases and the practical takeaways

 Presented by **Sydney Jacobs**, Barrister, 13 Wentworth Selborne Chambers

### Ethics & Professional Responsibility

#### Ethical Dilemmas in Property Law


Join an experienced barrister and delve into the ethical pitfalls and risks that can trip up you, your practice and your clients. Explore real world examples, examine the key facts in each, and develop strategies to avoid getting caught in ethical traps.

 Presented by **Chris Stomo**, Barrister, Windeyer Chambers

### Practice Management & Business Skills

#### New Accounting Standard AASB 16 and the Impact on Lease Contract Negotiations

In a significant change for property lessees, the new accounting standard requires that they recognise their lease on their balance sheet. Understand the key elements of the new standard and how this may impact into lease negotiations.

 Presented by **Greg Bell**, Client Director, Audit, Bentleys NSW

### Practice Management & Business Skills

#### Privacy Risks for Property Practitioners

- Understanding your privacy obligations and responsibilities
- Identifying privacy risks in your matters: the often overlooked risks and red flags
- How to resolve and prevent privacy risks in your practice
- What you can and can't do with client information and data? Examples and practical tips

 Presented by **Anna Johnston**, Principal, Salinger Privacy

 *Excellent; interesting, relevant, very well prepared materials* 

## 7 ATTEND THE FULL DAY AND EARN

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

1 CPD unit in Ethics & Professional Responsibility  
1 CPD unit in Professional Skills

# A PRACTICAL GUIDE TO CRITICAL CONVEYANCING ISSUES

RECORDED IN OCTOBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2010N17

Attend this jam packed full day conference and gain the latest information and essential strategies you need to avoid slipups and keep your practice on the right foot. Delve deeper into the most timely and significant considerations in conveyancing such as survey and title issues, cladding, default, rescission and repudiation, strata, tax, planning, the latest cases you need to know and more.

Chair: **Diane Skapinker**, Partner, Ashurst Australia; Best Lawyers 2019, Real Property Law; Recommended Property and Real Estate Lawyer, *Doyle's Guide* 2020

## Critical Recent Conveyancing Cases in NSW You Need to Know

Analyse the latest conveyancing cases impacting your practice including 2020 decisions on pre-contract agreements, misleading conduct, recovery of the deposit, caveats and electronic conveyancing certifications, and more.

Presented by **Gary Newton**, Partner, HWL Ebsworth Lawyers; Accredited Specialist in Property Law; author, *Conveyancing Service NSW Looseleaf*, *Annotated Conveyancing and Real Property Legislation*, and *Land Acquisition* 7th Edition, LexisNexis; Best Lawyers 2019, Real Property Law, Leasing Law; Recommended Leasing Lawyer, *Doyle's Guide* 2020

## Survey and Title Issues Affecting a Conveyance of Property

- Plans related to titles and the surveying challenges that can arise
- Understanding a plan of subdivision
- How to read a strata plan and building subdivision
- Easements, covenants and restrictions
- Fencing and boundary alignments and areas shown (or not shown) on plans

Presented by **Ian McKnight**, Consultant, Sarvaas Ciappara Lawyers

## Strata Law Developments Affecting Conveyancing

Presented by **David Bannerman**, Principal, Bannermans Lawyers; Best Lawyers 2019, Strata/Construction Law

## Planning for Conveyancers, Heritage and VPAS

Gain essential knowledge and tips that conveyancers and property lawyers need to know on what to look out for when managing a conveyance that concerns planning, heritage issues and various environmental, planning and conservation agreements.

Presented by **Steven Griffiths**, Senior Associate, Bartier Perry

## Managing Cladding Risk in Your Conveyances

- Statutory reform and case studies you need to know
- Due diligence and sale contract negotiation
- Building owner obligations and risk mitigation, both pre-sale and post-completion

Presented by **Leisha de Aboitiz**, Partner, Massons; Recommended Property & Real Estate Lawyer, *Doyle's Guide* 2020

Chair: **Eddy Neumann**, Principal, Eddy Neumann Lawyers

## The State of the Property Market and the Impact on Conveyancing

- The economy as it stands and the impact on the property market
- Economic trends, indicators and what they mean for property transactions going forward
- Analysis of the market, possible trends to come, and the potential impact on conveyancing

Presented by **Ben Martin-Henry**, Associate Director, Head of Capital Markets, Office & BTR, CBRE

## The Future of Conveyancing: Outlook and Theories

With COVID-19 it's electronic this, that and everything: What is working and not working now and what should the electronic future of conveyancing look like?

- Commonwealth Government requirements
- NSW Government requirements
- Industry submissions: some sense from the banking industry
- LRS requirements: some documents are easy, some are not
- Why is it so hard? Conspiracy theory and vested interests
- PEXA: There's a lot of money in it, so who owns it? What about competition? In whose interest?

Presented by **Brendan Maier**, Partner, Colin Biggers & Paisley; Recommended Property & Real Estate Lawyer, *Doyle's Guide* 2018

## Tax and the Impact on the Conveyancing Processes

- The importance of vendor clearance certificates and purchaser declarations
- Common stamping traps in practice: contracts, transfers, options and foreign surcharge duty
- Related party transactions: deceased estates and family farm transfers: recent insights
- What to do when things go wrong: objections, reviews, refunds and reassessments

Presented by **Andrew Rider**, Barrister, Level 22 Chambers; Leading Tax Barrister, *Doyle's Guide* 2019

## What Happens When it all Goes Wrong? Default, Rescission and Repudiation

- Practical considerations when a breach occurs: assessing the consequences and planning a strategy
- Vendor and purchaser remedies
- Default and rescission notices: the procedures, the details and avoiding the many things that can go wrong
- When a notice defect is fatal and when and how it can be fixed
- Can a notice work even if it's formally invalid?
- Strategies for when a purchaser is weighing up the use of a caveat as opposed to an urgent injunction to protect its interests, including its deposit

Presented by **Sydney Jacobs**, Barrister, 13 Wentworth Selborne Chambers

# RETAIL AND COMMERCIAL LEASING FUNDAMENTALS WORKSHOP

RECORDED IN NOVEMBER 2020 IN NSW \$405  
3 CPD UNITS [>click here to see online](#) OND2011N01

This unique workshop is perfect for lawyers, lease administrators, lease managers, conveyancers, in-house counsel and property professionals who want a practical guided tour through the essential elements of retail and commercial leasing.

Anthony Herro is one of the pre-eminent presenters on leasing and for one afternoon he'll share his insights and strategies for perfecting your leasing practice. Walk away with information, strategies, and procedures you can use to eliminate risk and avoid legal and commercial problems in your day to day leasing work.

Don't miss this engaging, illuminating and can't miss session from a speaker whose feedback from prior leasing presentations speaks for itself:

"Excellent - the best"

"Very informative, practical and highly lively"

"Outstanding, engaging and interactive"

"Always fantastic - so practical and easy to listen to"

"Informative, interactive, interesting - passionate about knowledge"

## Part 1: Essential Steps When Acting for Landlords or Tenants

- Expertly drafting and working with Heads of Agreement
- Key terms to negotiate and insights on getting to the outcome you want
- How to efficiently and effectively conduct essential searches and enquiries
- Understanding the ins and outs of when the *Retail Leases Act* applies

## Part 2: Critical Landlord Issues and their Importance for Tenants

Work through a checklist of the essential steps and considerations that are crucial for landlords and that tenants need to have on their radar.

- Best practice in how to draft lease incentives to protect the Landlord
- Options to renew
- Market rent review provisions
- Default provisions
- Refurbishment obligations
- Demolition and relocation provisions
- Disclosure requirements (and key pitfalls to avoid)


## Part 3: Crucial Tenant Issues and the Impact on Landlords

Examine some of the most important issues facing tenants, how both tenants and landlords should view and approach those issues, and what you need to know to expertly handle them as they arise.

- Demolition and relocation clauses
- Notice provisions and options to renew
- Permitted use and trading Hours
- Termination provisions

## Part 4: A Look at Recent Major Issues

- Impact of Covid measures
- *Sneakerboy* case

 Presented by **Anthony Herro**, Principal Solicitor, Herro Solicitors; Recommended Leasing Lawyer, *Doyle's Guide 2020*

## 3 ATTEND AND EARN

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

# RETAIL AND COMMERCIAL LEASING: CURRENT ISSUES AND CONCERNS

RECORDED IN SEPTEMBER 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND209N11

The legal issues impacting the leasing sector are evolving at a more rapid pace than ever before and it's critical you keep up with the latest developments and strategies. Learn what you need to know about the latest cases and issues affecting leasing including insolvency, rent relief, fit-outs, end of lease disputes, make good clauses, detainue, Agreements for Lease, incentives and Foreign Investment Review Board changes.

Chair: **Robert Schneider**, Consultant, HWL Ebsworth Lawyers; *Best Lawyers 2020, 2021, Alternative Dispute Resolution*

## End of Lease Disputes

Delve into two perennial areas of disputation arising when a lease comes to an end.

- Returning premises in the same base state and the consequences for failing to do so
  - In commercial leases, the lessee often fits out the premises, but there is usually a make good clause stipulating that the premises must be handed back in same base state
  - S 133A of the *Conveyancing Act* deals with damages for a breach of a covenant to inter alia leave or put premises in repair at the termination of a lease
  - What is the interaction between S 133 A and 'back to base' clauses?
  - *Waterways Authority of New South Wales v Coal and Allied Operations Pty Limited* [2005] NSWSC 1285
  - *Midcoast Petroleum Pty Ltd v Keldros Pty Ltd* [2019] NSWSC 970
- Tenant lockouts and removing equipment
  - What happens when a landlord locks out a tenant, contends the lease is at an end & doesn't permit the tenant to uplift their equipment?
  - How does detainue and conversion apply to this circumstance? *Bird v Biedrzycki* [2019] ACTSC 214
  - Analysis of tactics and strategies from both landlord and tenant in the event of a dispute

 Presented by **Sydney Jacobs**, Barrister, 13th Wentworth Chambers


## Leasing Updates: FIRB Changes, Rent Relief & the Latest Cases

- Foreign Investment Review Board changes and the impact on leasing
- COVID-19 rent relief: the journey so far and insights into what to expect going forward
- Case law update

 Presented by **Andrew Grima**, Principal, Coleman Greig Lawyers


## Leasing and Insolvency

- Major issues in insolvency
- What to expect in the year ahead
- Tips and tricks for dealing with insolvency disputes

 Presented by **Catherine Hallgath**, Partner, Mills Oakley Lawyers; Accredited Specialist in Property Law; Leading Leasing Lawyer, *Doyle's Guide 2020*

## Agreements for Lease: A Guide to the Critical Issues

- When should an Agreement for Lease and Fit out Deed be used?
- Practical completion and extension of time mechanisms
- Purpose Built facilities
  - Addressing required consents, variations and 'fitness for purpose' warranties
- Disputes and Damages
  - Dispute resolution and termination rights for breach
  - Liquidated damages regimes
- Incentives
  - Dealing with lease incentives

 Presented by **Sebastian Busa**, Partner, Baker McKenzie; Recommended Property and Real Estate Lawyer, *Doyle's Guide 2020*

## 4 ATTEND AND EARN

4 CPD units in Substantive Law

# WILLS AND ESTATES DISPUTES CONFERENCE

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2011N07

Immerse yourself in critical issues in the area of wills and estate disputes. Gain a deep understanding of equitable claims in estate litigation, testamentary discretionary trusts, current practice and procedure in family provision matters, how to deal with superannuation issues on death and the latest cases you need to know. You will walk away with the information you need and practical skills and strategies to bolster your practice.

## SESSION 1: CASE UPDATES, INFORMAL WILLS AND SUPERANNUATION DISPUTES

4 CPD UNITS      OND2011N07A      \$490

Chair: **Paul Evans**, Partner, Makinson d'Apice; Accredited Specialist in Wills and Estates Law; Recommended Wills & Estates Litigation Lawyer and Leading Wills, Estates & Succession Planning Lawyer, *Doyle's Guide* 2020

### Court of Appeal of NSW Update: Decisions in Succession Law for 2020

An essential examination of recent decisions from the Court of Appeal, including the key principles and the practice and procedure learnings that they provide, to immediately include in practice.

Presented by **Dr Hayley Bennett**, Barrister, New Chambers; Recommended Wills & Estates Litigation Junior Counsel, *Doyle's Guide* 2020 and **Lucie Cooper-Hackman**, Barrister, Greenway Chambers

### Alternative Equitable Claims in Estate Litigation

Analyse equitable issues that may arise and be relevant in contested probate or Family Provision claims including:

- Secret and semi-secret trusts
- Promissory and proprietary estoppel
- Constructive and resulting trusts
- Presumption of advancement
- Equitable severance of joint tenancy

Presented by **Monica Ross-Maranik**, Consulting Principal, Keynote Law; Leading Wills & Estates Litigation Lawyer, *Doyle's Guide* 2020 and Recommended Wills, Estates & Succession Planning Lawyer, *Doyle's Guide* 2019

### Recent Decision on Informal Wills

Presented by **Alun Hill**, Barrister, Chalfont Chambers; Recommended Wills & Estates Litigation Junior Counsel, *Doyle's Guide* 2018

### Dealing with Superannuation Disputes on Death

- Challenges to exercise of trustee discretion: *Wareham v Marsella* [2020] VSCA 92
- Control by trustee and obligations of administrator: *McIntosh v McIntosh* [2014] QSC 99 and *Gonciarz v Bieneas* [2019] WASC 104
- Payment of a death benefit: *Wooster v Morris* [2013] VSC 594
- Validity of a binding death benefit nomination: *Munro v Munro* [2015] QSC 61

Presented by **Anthea Kennedy**, Partner, Bridges Lawyers; Preeminent Wills & Estates Litigation Lawyer, *Doyle's Guide* 2020 and Preeminent Wills, Estates & Succession Planning *Doyle's Guide* 2019

## SESSION 2: FAMILY PROVISION CLAIMS AND CONSTRUCTION OF WILLS DISPUTES

3 CPD UNITS      OND2011N07B      \$405

Chair: **Richard Neal**, Partner, Teece Hodgson & Ward; Accredited Specialist in Wills & Estates Law; Preeminent Wills & Estates Litigation Lawyer and Preeminent Wills, Estates & Succession Planning Lawyer, *Doyle's Guide* 2020

### Professional Skills

#### Construction of Wills: Recent Cases, Tips and Traps

- General principles of construction of wills
- Evidence in construction of will suits
- Construction of will proceedings procedure
- Recent cases

Presented by **Katelin Whitley**, Principal, Bestic Law; Accredited Wills and Estates Specialist; Recommended Wills & Estates Litigation Lawyer, *Doyle's Guide* 2020 and Recommended Wills, Estates & Succession Planning Lawyer, *Doyle's Guide* 2019

#### How Family Provision Cases Deal with Discretionary Trusts, Risks and Benefits

- The reasons for using a discretionary trust
- Potential benefits: beneficiaries with drug/alcohol/money management issues, bankruptcy, family law
- Potential risks: selection of trustees, conflicts of interest, personal conflict
- How Family Provision cases deal with discretionary trusts

Presented by **Therese Catanzariti**, Barrister, Thirteen Wentworth Selborne; Recommended Wills & Estates Litigation Junior Counsel, *Doyle's Guide* 2020

### Professional Skills

#### Mastering Practice and Procedure in Family Provision Matters

- Institution of proceedings
- Plaintiff's affidavit
- Defendant's affidavit
- Settlement and orders

Presented by **John Armfield**, Barrister, 2nd Floor Wentworth Chambers; Preeminent Wills & Estates Litigation Junior Counsel, *Doyle's Guide* 2020

## 7 ATTEND THE FULL DAY AND EARN

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

# FAMILY PROVISION CLAIMS CONFERENCE 2020

RECORDED IN SEPTEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND209N07


Don't miss this chance to review recent case law and emerging issues in family provision claims. You will work through a range of comprehensive and focused sessions tackling the key issues facing wills and estate practitioners including estrangement; claims by adult children, spouses & de facto spouses; notional estates; and equitable remedies. You won't find a more in-depth and useful guide to family provision claims anywhere else.

## SESSION 1: FAMILY PROVISION CLAIMS – YOUR ESSENTIAL GUIDE

4 CPD UNITS      OND209N07A      \$490

Chair: **Paul Blackburn-Hart SC**, 7th Floor Wentworth Selborne; Accredited Mediator; Best Lawyers 2021, Trusts and Estates; Recommended Wills & Estates Litigation Senior Counsel, *Doyle's Guide* 2020

### Equitable Remedies and Family Provision Litigation

 Presented by **John Armfield**, Barrister, 2nd Floor Wentworth Chambers; Preeminent Wills & Estates Litigation Junior Counsel, *Doyle's Guide* 2019


### Estrangement as it Pertains to Family Provision Claims

- Case study
- Recent decisions
- What to ask when taking instructions
- Effect on quantum

 Presented by **Victoria Hartstein**, Barrister, Chalfont Chambers

### Navigating Claims by Spouses and De facto Spouses

- Broad general rule in *Luciano v Rosenblum* (1985) 2 NSWLR 65
- Contest between second wives and children of a prior marriage
- Recent cases

 Presented by **Despina Christofis**, Barrister, Fourth Floor Selborne Chambers; Recommended Wills & Estates Litigation Junior Counsel, *Doyle's Guide* 2019

### The Adult Child as a Family Provision Claimant

- Principles applying to claims by adult children
- The adult child and competing beneficiaries
- Some recent cases involving adult children
- Explaining Family Provision Law to claimants and beneficiaries

 Presented by **John Clifton**, Barrister, Edmund Barton Chambers

## SESSION 2: HEARING PREPARATION, NOTIONAL ESTATE AND FAMILY LAW IMPACT


3 CPD UNITS      OND209N07B      \$405

Chair: **erard Basha**, Partner, Bartier Perry; Accredited Specialist in Wills and Estates Law; Leading Wills & Estates Litigation Lawyer and Preeminent Wills, Estates & Succession Planning Lawyer, *Doyle's Guide* 2020

### Professional Skills

#### Preparing for a Hearing in a Family Provision Claim

- When to prepare for the hearing
- Marshalling your evidence
- Appropriate inquiries, including the use of Notices to Produce and subpoenas
- Using a trial schedule
- Objections to evidence
- When to 'hold' and when to 'fold'

 Presented by **Margaret Pringle**, Barrister, Chalfont Chambers; Leading Wills & Estates Litigation Junior Counsel, *Doyle's Guide* 2019

### Notional Estate in the *Succession Act 2006* (NSW)


Special emphasis will be on the following sections:

- History that brought into legislation the concept of Notional Estate
- Section 76: examples of what are 'relevant property transactions'
- Section 80: the making of a Notional Estate order by the Court and the 3 and 1 year time limitations regarding a relevant property transaction
- Section 88: matters to be taken into account by the Court regarding Notional Estate orders

 Presented by **Victoria Hartstein**, Barrister, Chalfont Chambers; Prepared by **Alun Hill**, Barrister, Chalfont Chambers

### Intersection of Family Law with Family Estate Provision Claims: Practical Insights

- Section 95 releases
- Intestacy provisions
- Family law claims commenced/not commenced before death
- De facto considerations
- Making a family provision claim after a family law property settlement
- Family provision vs family law outcomes

 Presented by **Linda Clarke**, Barrister, Second Floor Wentworth Chambers



# TESTAMENTARY TRUSTS WORKSHOP


RECORDED IN MARCH 2020 IN NSW  
3 CPD UNITS [>click here to see online](#)

\$405  
OND203N26



There's no better way to master drafting testamentary trusts than through this interactive workshop. Work through hypothetical scenarios covering real world issues with examples and exercises to sharpen your drafting and understanding. Identify the key issues and advice to give and then together create the documentation needed to put the plan into place. Have all your questions answered and perfect your practice in this critical area of estate planning.



**By the end of the workshop you will have jointly created a comprehensive suite of estate planning materials that properly deal with the following issues:**

- Lawyers liability to the will maker and their beneficiaries: How much control should you give to the executor, beneficiary and third party?
- Tax implications of testamentary trusts
- Effective use of testamentary trust as a tool for protecting assets
- How to deal with creditors and former spouses
- Family provision aspects
- Complexity versus knowledge and approval
- Clear solutions to drafting problems
- Interaction with superannuation and how to handle issues that may arise
- Concerns around family trusts and other structures used by clients
- Practical case studies

 Presented by **Robert Monahan**, Monahan Estate Planning; Accredited Specialist in Wills and Estates; Recommended Wills, Estates & Succession Lawyer, *Doyle's Guide* 2019

## What the delegates have said about this Workshop

 *Made a dry topic interesting and it was very useful and thought provoking.* 

 *Excellent, well-paced, and informative.* 

 *Very detailed with practical advice.* 

# The More Units,

# The More You Save!



## Pricing Table

Mix and match seminars and webinars and if you register them in one transaction, pay only the price below.

PRICING PER UNIT	PRICE	PER UNIT RATE
1 Hour	<b>\$155</b>	\$155.00
2 Hours	<b>\$295</b>	\$147.50
3 Hours	<b>\$405</b>	\$135.00
4 Hours	<b>\$490</b>	\$122.50
5 Hours	<b>\$590</b>	\$118.00
6 Hours	<b>\$690</b>	\$115.00
7 Hours	<b>\$770</b>	\$110.00
8 Hours	<b>\$840</b>	\$105.00
9 Hours	<b>\$900</b>	\$100.00
10 Hours	<b>\$960</b>	\$96.00

Please please call us on 02 9387 8133 or write an email to [info@legalwiseseminars.com.au](mailto:info@legalwiseseminars.com.au) to receive the reduced registration fee.

\*This Pricing Model was last updated on 24 April 2020 and are subject to change.

### 3 ATTEND AND EARN

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

# CONTRACT LAW DISPUTES 2020

RECORDED IN SEPTEMBER 2020 IN NSW \$405  
4 CPD UNITS [>click here to see online](#) OND209N12

What do the latest contract law cases say about the increasingly prevalent and important issues commonly being disputed right now? How should you bring or defend against a claim that a contract is unfair or unconscionable? When can you enforce or escape a contract that's unsigned? How can you effectively and accurately determine a party's damages & loss? What must you consider when contract termination is sought? Explore each of these critical issues and more through practical insights, examples & guidance.

Chair: **Gregory Martin**, Principal, Martin Bullock Lawyers

## 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 part performance
- Special rules for deeds
- Some common situation and how to deal with them

Presented by **Mark Holler**, Barrister, Francis Burt Chambers

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

- Introduction to statutory intervention and comparison with general law
- When a term will be regarded as 'unfair' under the ACL
- What is the ACCC's enforcement approach?
- The factors that influence a determination of unconscionable conduct under the ACL
- The available remedies

Presented by **Dr Stephen Lee**, Barrister, 35 West Chambers

## Contract Law Case Update

Analyse key recent cases, their facts and the critical takeaways. Hot topics, including force majeure and more

- Formation, terms and interpretation
- Enforcement and breaches

Presented by **Dane Jones**, Barrister, Alfred Lutwyche Chambers

## A Guide to Contract Termination: Rights and Consequences

- What are the differences between express rights and 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

## Establishing a Breach and Assessing Contract Damages

- Classifying a breach and establishing a failure to perform
- Understanding and choosing the appropriate remedy: damages, contract debt, restitution, equity
- Assessing contract damages
- Non-pecuniary loss
- Agreed damages clauses & recovery of liquidated sums
- Pleading, recovery and strategic considerations

Presented by **Katja J Levy**, Principal, Rossello Chambers and **Richard Douglas**, Barrister, Francis Burt Chamber

### 4 ATTEND AND EARN

4 CPD units in Substantive Law

# CONTRACT LAW MASTERCLASS: LIABILITY & RISK

RECORDED IN NOVEMBER 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND2011N02

Recent events have had a dramatic impact on contracts leading to a significant rise in disputes. With many parties suddenly unable or unwilling to perform their contractual duties, there's no better time to explore the hottest drafting and disputes issues you need to be across. Examine breaches, damages, remedies, securities, indemnities, liability, allocation of risk and more. Each of these issues will be covered in-depth along with a look at the latest and most significant contract law cases.

Featuring a renowned specialist in the field, **Jeffrey Goldberger** will walk you through precisely what you need to know. 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.

## Part 1: Contract Law in the Cases: A Review of Recent Decisions

- Construction and interpretation: latest developments
- Assessment of damages for loss of use
- Performance securities
- Breaches capable of remedy in a termination regime

## Part 2: Revisiting the Vocabulary of Contract Law

- Representations and misrepresentations
- Warranties, conditions and indemnities
- Fundamental breach of contract
- Deeds and simple contracts
- Contract variations
- Entire agreement clauses

## Part 3: Statutory Proportionate Liability and Reallocation of Contractual Risk

- The philosophy of the legislation
- Concurrent wrongdoers
- Limitation of liability of a concurrent wrongdoer

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

## Testimonials from Jeffrey's prior Contract Law Masterclasses:

*Mr Goldberger is a 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. Very instructive and a pleasure to listen to.*



Includes detailed written materials with precedents, examples and more!

### 4 ATTEND AND EARN

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

# RELIGIOUS BASED INSTITUTIONS: THE LEGAL ISSUES

RECORDED IN NOVEMBER 2020 IN NSW

UP TO 7 CPD UNITS [>click here to see online](#)

\$770

OND2011N24

Hear from the ACNC Commissioner and a formidable panel of experts in their field on the most important topics currently facing religious institutions. Examine regulatory, governance and risk management, the impacts of COVID-19, and continuing litigation issues with the redress scheme and sexual misconduct claims against employees and contractors. Spend a day considering and discussing the key legal topics of the day.

## SESSION 1: REGULATORY ISSUES, BOARDS AND GOVERNANCE

4 CPD UNITS

OND2011N24A

\$490

Chair: Anne Robinson AM, Partner, Prolegis Lawyers

### REGULATORY ISSUES

#### Opening Address: How the ACNC Deals with Religious Charities and Particular Areas of Compliance

Presented by **The Hon. Dr Gary Johns**, Commissioner, Australian Charities and Not for Profit Commission

#### Who can Represent Themselves as a Religious Organisation?

- Compliance with charity law requirements
- Tax benefits
- Discriminations exemption

Presented by **Mark Fowler**, Director, Fowler Charity Law and **Fr Brian Lucas**, National – Director, Australia, Catholic Mission

#### Freedom of Religion and Religious Discrimination: An Update

- Current position
  - What some of the lessons might be from the debate, and a reminder that religious discrimination is already unlawful under State/Territory law (except in NSW and SA)
- Proposed reforms
- Potential outcomes

Presented by **Dr Luke Beck**, Associate Professor, Associate Dean (Education), Monash University Faculty of Law; author, *Religious Freedom and the Australian Constitution: Origins and Future*, Routledge

#### Property Law and the Church

- The canon law relating to property, permissions for alienation and acts of extraordinary administration by dioceses and religious institutions
- The civil law application for transactions, structure and purpose

Presented by **Josephine Heesh**, Partner, Carroll and O'Dea and **Reverend Father Matthew Muller**, Chancellor and Canonical Advisor, Catholic Diocese of Maitland Newcastle

### BOARDS AND GOVERNANCE

#### Civil and Canonical Governance Principles and their Influence on Corporate Structures and Practices

Presented by **Susan Pascoe AM**, Adjunct Professor at the University of WA; Chair, Community Directors Council

#### Child Safe Policies and Ensuring Board Compliance

- Complying with child protection legislation
- Complying with DFAT requirements
- Policies applying across Australia
- Drafting tips

Presented by **David Ford**, Partner, Carroll and O'Dea Lawyers and **Gregory Burton SC**, 5 Wentworth Chambers and Procurator for the Presbyterian Church of Australia

## SESSION 2: LEVERAGING ASSETS AND CURRENT LITIGATION ISSUES

3 CPD UNITS

OND2011N24B

\$405

Chair: Amanda Ryding, Partner, Colin Biggers &amp; Paisley Lawyers

### LEVERAGING ASSETS IN A DOWNTURN MARKET

#### How Churches can Leverage their Assets in an Economic Downturn

- What to do with property not being used
- Dealing with underutilised property
- How to earn an income with surplus land holding
- Legal implications

Presented by **Andrew Boer**, Practice Leader, Moores

### LITIGATION ISSUES

#### Canon Law and Civil Courts

- When will civil courts interfere with Religious Canonical processes
- The interplay of Canon Law and Civil Law on the resolution of inter church disputes

Presented by **Anna Swain**, Acting Principal Lawyer and **Prue Gregory OAM**, Senior Legal Consultant/Project Manager, Knowmore Legal Service

#### Redress Scheme and Setting Aside Past Settlement Agreements

- How the redress scheme is working
- Settling aside settlement agreements: current situation

Presented by **John Ellis**, Solicitor and **Nicola Ellis**, Solicitor, Ellis Legal Lawyers

#### Direct and Vicarious Liability in Claims against Employees and Contractors

- When is an employer liable in tort?
- Liability arising out of relationships with Contractors
- Vicarious liability in sexual assault claims

Presented by **Matthew Gerathy**, Partner, Makinson d'Aprice Lawyers

# ARCHITECTS LEGAL SYMPOSIUM

**2ND  
ANNUAL**

RECORDED IN NOVEMBER 2020 IN NSW \$395  
4 CPD UNITS [>click here to see online](#) OND2011N16

As architects you often deal with contracts, construction & other matters that involve legal issues, but there are many legal risks that are often overlooked or misunderstood. Make sure you have the correct understanding of both the obvious and the hidden legal risks impacting architects. Learn to identify legal hazards. Discover what to do when it all goes wrong. Be prepared for any eventuality. Engage in a unique program featuring short presentations from leading legal experts on topics like contracts, novation, the dual role of architects in contract administration, regulation, health & safety, planning, council, and fire safety, including time for all your questions.

Chair: **Brian Meyerson**, Principal, MHN Design Union PTY LTD

## CONTRACTS WORKSHOP:

### Legal Risks for Architects: Managing and Treating Legal Risk

- Terms of engagement
- Design delivery to a percentage and scope creep
- Novation
- The dual role of architects in contract administration
- Giving advice


 Presented by **David Jury**, Partner, HWL Ebsworth; Recommended Construction and Infrastructure Litigation Lawyer, *Doyle's Guide* 2019

## New Legislation and Regulation of the Profession

 Presented by **Peter Sarlos**, Architect; Lawyer; Building Surveyor; Construction Adjudicator; ADR Practitioner

## Health & Safety Laws that Architects Need to be Aware of

- Industrial manslaughter: Are you exposed?
- Safety in design: Has your business set the safety expectations?
- Officer WHS duties: Do you have an Officer Due Diligence system?
- WHS insurance: now illegal in NSW
- Is your business COVID safe?
- Working at home: What are the risks?

 Presented by **Greg Mcann**, Partner, Colin Biggers & Paisley Lawyers; Recommended Workplace Health & Safety Lawyer, *Doyle's Guide* 2019; *Best Lawyers* 2019, Occupational Health & Safety Law


## Dealing with Council

- The role of an urban planner
- Tips for preparing DAs and during the assessment process
- Lessons from case studies
- The Land & Environment Court


 Presented by **Eli Gescheit**, Director, Navon Solutions

## Integrating Infrastructure Planning Principles with Architectural and Project Management Services

- Assisting local council's with design specifications
- Implementing planning agreements
- Dealing with Council as consent authority and asset owner

 Presented by **Vanessa Morschel**, Manager, School Facility Planning & Development, Catholic Education Diocese of Wollongong and Director, BlueCHP

## Fire Safety

 Presented by **Craig Poulter**, Senior Fire Consultant – Cladding Team Leader, Omnii

# LIQUOR AND GAMING LAW ROUNDTABLE 2020

**16TH  
ANNUAL**

RECORDED IN MARCH 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND203N09

Sydney's leading liquor and gaming seminar returns with everything you can't afford to miss to stay up to date in the year to come. Listen in as Liquor and Gaming NSW, the Australian Hotels Association and leading practitioners in the field will once again provide the timely and practical insights that have made this a can't miss event every year.

Chair: **Sonia Stewart**, Barrister, 5 Wentworth Chambers


## Latest Developments in Liquor Licensing

- Developments from the previous 12 months
- Insights from a practitioner: recent trends in the industry
- Liquor licensing applications

 Presented by **Craig Murray**, Director, CDM Lawyers


## Property Transactions Involving Licensed Premises: Practical Tips & Tricks

- Licensing and property due diligence
- Stamp duty, gaming tax and jackpots
- Dealing with licence fees and loading
- Transactions that involve property leases

 Presented by **Bruce Bulford**, Solicitor/Director, Bulford Legal


## Current Issues in Gambling Law

- Gaming or gambling: What is gambling?
- The regulation of gambling in Australia and overseas
- The convergence of gaming and gambling – esports and loot boxes
- Key legal issues

 Presented by **Jamie Nettleton**, Partner and **Shanna Protic Dib**, Solicitor, Addisons

## Responsible Gambling in the Terrestrial Landscape

- What are the obligations of venues?
- Management of obligations
- How you deal with the Regulator?
- Supporting patrons' expectations, particularly around self-exclusion

 Presented by **Mandy Tervit-Veasey**, Immediate Past Responsible Gambling and Compliance Manager, Tabcorp Holdings Limited

## PANEL DISCUSSION

### Lockout Laws, Prosecuted Licensees and Other Critical Issues

Wrap up the seminar with an interactive discussion led by industry experts and practitioners. From lockout laws to acting for licensees who are prosecuted for offences, this practical conversation will provide you with valuable insights to take into 2020.

 Facilitator: **Sonia Stewart**, Barrister, 5 Wentworth Chambers

 Panellists:

**John Green**, Director Liquor and Policing, Australian Hotels Association  
**Kenneth Yardy**, Principal, Yardy Legal Pty Ltd

**4 ATTEND AND EARN**

4 CPD units in Substantive Law

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4 CPD units in Substantive Law

# DRONE REGULATION: RISK & LIABILITY

RECORDED IN MARCH 2020 IN QLD \$490  
4 CPD UNITS [>click here to see online](#) OND203Q14

Take a deep dive into the legal framework in which architects operate. Back by popular demand, you will learn from the experts about some of the key legal challenges that architects grapple with on a daily basis.

Chair: **Andrew Mansfield**, Senior Associate, Sparke Helmore Lawyers

## 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, Haly & Co; *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 **Eddie Scuderi**, Partner, Corrs Chambers Westgarth; Preeminent Intellectual Property Lawyer, *Doyle's Guide* 2019

## 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 **Jeremy Perier**, Senior Associate, McCullough Robertson

## 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 **Tom Pils**, The Drone Lawyer

## Liability of Architects, as Lead Consultants, for the Design Errors of their Sub Consultants

- Commonly encountered issues affecting your risk and potential liability when taking on the role of lead consultant responsible for coordinating and managing the work of other specialist consultants and sub-consultants
- What you need to do to identify, understand and manage the risk of design errors by specialist consultants and sub-consultants, and what happens when you don't

Presented by **Craig Hyde**, Special Counsel, McCabe Curwood

## ★ 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 **Dr Jonathan Aleck**, Executive Manager, Legal, International & Regulatory Affairs, CASA

# NATIVE TITLE INTENSIVE

RECORDED IN NOVEMBER 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND2011N20

Hear from leading experts across the spectrum of native title practice as they explore the current state of native title, the Wagonga Local Aboriginal Land Council matter, prescribed body corporates and the complexity of native title compensation applications. Don't miss this half-day examination of the very latest issues that are truly essential to anyone whose work touches on native title issues.

Chair: **Vance Hughston SC**, Sixth Floor Windeyer Chambers; Market Leading Native Title Barrister, *Doyle's Guide* 2020

## Moving on with Native Title

Examine the current state of Native Title.

Presented by **David Yarrow**, Barrister, List G Barristers; Preeminent Native Title Junior Counsel, *Doyle's Guide* 2020

## The Interaction of a Non-Claimant and Native Title Claim: A Focus on Wagonga Local Aboriginal Land Council v Attorney General of NSW

Presented by **James Walkley**, Director, Chalk and Berendht; Recommended Native Title Lawyer (Traditional Owner Representation), *Doyle's Guide* 2020

## Prescribed Bodies Corporate (PBC) in the Post-Determination Space

- Examining the fate of some PBCs in the post-determination space
- Breach of fiduciary duties by PBC directors

Presented by **Susan Phillips**, Barrister, 13th Floor St James Hall; Preeminent Native Title Junior Counsel, *Doyle's Guide* 2020

## PBC After the Recognition of Separate and Distinct Native Titles: Drury on behalf of the Nanda People v State of Western Australia [2020] FCAFC 69

Presented by **Charles Gregory**, Barrister, Sixth Floor Windeyer Chambers; Leading Native Title Junior Counsel, *Doyle's Guide* 2020

## The Legislative Complexity of Native Titles Compensation Applications

- Putting a compensation claim together
- Problems that can arise when thorough pre-trial preparation is not carried out
- Does the State and the National Native Title Tribunal have searching obligations?
- Comparisons with *Griffiths v Northern Territory*
- Practical examples and key takeaways

Presented by **Tina Jowett**, Barrister, Sixth Floor Windeyer Chambers; Preeminent Native Title Junior Counsel, *Doyle's Guide* 2020

**4** ATTEND AND EARN

4 CPD units in Substantive Law

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4 CPD units in Substantive Law



# FOOD LAW CONFERENCE: NOW AND BEYOND

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2011N15

You will hear from FSANZ, NSW Food Authority, industry and legal experts as they examine health and nutrition claims, allergens compliance and IP issues in food law. Be a part of the discussion with the ACCC and their priorities regarding country of origin labelling, health and nutrition claims, and the AANA's Review of Food and Beverage Advertising Standards. Consider some real life labelling and advertising examples to uncover some common misconceptions on what is misleading and deceptive.

## SESSION 1: HEALTH & NUTRITION CLAIMS, ALLERGENS AND INTELLECTUAL PROPERTY

4 CPD UNITS      OND2011N15A      \$490

Chair: **Will Daymond**, Group Legal Counsel, Asia Pacific, Associated British Foods Group; In-House Lawyer of the Year, Australian Law Awards 2020

### THE MAKING OF HEALTH AND NUTRITION CLAIMS

#### Standards for Health Food: What Does and Doesn't Meet the Standard and What are Some Common Misconceptions?

Presented by **Glen Neal**, General Manager, Risk Management and Intelligence, FSANZ

#### Falling Outside the Standard 1.2.7: Empirical Evidence to Back Claims

- General landscape of Food Law
- Nutrition content claims and the legal requirements
- Health claims and the requirements
- Therapeutic claims and legal requirements around prohibition
- FSANZ work programme

Presented by **Glen Neal**, General Manager, Risk Management and Intelligence, FSANZ and **Ciska de Rijk**, Principal, Essence Compliance

#### Categorising Products as Food or Therapeutic Goods Based on Ingredients and Purpose

Presented by **Dr Teresa Nicoletti**, Partner, Mills Oakley; Leading Lawyer (Band 1), Life Sciences, *Chambers Asia-Pacific*; *Best Lawyers* 2019 Life Sciences Practice, Biotechnology Law and Health & Aged Care Law

#### Your Questions Answered

Join a practical and informative Q&A Session with **Glen Neal**, **Ciska de Rijk**, and **Dr Teresa Nicoletti** to have your questions answered.

### ALLERGENS: LABELLING STANDARDS AND COMPLIANCE

#### FSANZ Plain English Allergen Labelling Standards: Compliance

Presented by **Glen Neal**, General Manager, Risk Management and Intelligence, FSANZ

#### VITAL 3.0 Revealed: Leading a Consistent, Evidence Based Approach to Food Allergen Risk Review & Assessment

- Proposed changes with Vital 3.0
  - Resources what is required in plain English and updates
- Presented by **Kirsten Grinter**, President, Allergen Bureau and Scientific Affairs & Nutrition Manager Oceania | Technical & Production, Nestlé

#### Allergen Breaches and Enforcement Update: NSW Perspective

- 'May contain dairy' statements on vegan products
- Use of the 'may contain traces' and 'produced on machinery that also...'
- Case studies

Presented by **Alan Edwards**, Snr Food Incident Response & Complaints Co-ordinator, Compliance and Integrity Systems, NSW Food Authority

#### Intellectual Property and Marketing Issues in Food Law: Hot Topics, Tips and Traps

- Brands and marks including sub brands and tag lines
- IP commercialisation watch outs
- Copyright updates
- Celebrities, endorsements and testimonials
- Social Media and internet marketing
- Other issues and recent cases

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

## SESSION 2: ADVERTISING STANDARDS REVIEW, LABELLING & WHAT IS MISLEADING

3 CPD UNITS      OND2011N15B      \$405

Chair: **Georgina Rigoni**, Corporate Counsel, Nestlé Legal Team, Nestlé Australia

#### Review of Food and Beverage Advertising Standards

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

#### The ACCC Priorities and Response to COVID-19: Implications for Food Labelling

- ACCC compliance and enforcement priorities
- The impact of COVID-19
- Misleading conduct in relation to the sale and promotion of food products, including health and nutritional claims, credence claims and country of origin

Presented by **David Salisbury**, General Manager of the Consumer & Small Business Strategies Branch, Australian Competition & Consumer Commission

#### Real Life Labelling and Advertising Examples

- Applying Australian Consumer Law to some real life scenarios?
- What are the grey areas in the legislation?
- Some common misconceptions

Presented by **Odette Gourley**, Partner, Corrs Chambers Westgarth; Leading Lawyer (Band 1), Life Sciences, *Chambers Asia-Pacific*; *Best Lawyers* 2019, Biotechnology Law, Intellectual Property Law, Life Sciences Practice, Litigation; Recommended Contentious Intellectual Property Lawyer, *Doyle's Guide* 2020

#### Q&A Session: The Expected Rise of 'Made in Australia' and Locally Sourced

Delve into the impacts of an expected increase in demand for 'Made in Australia', healthy food options and locally sourced products in a current and post COVID-19 environment

Presented by **Georgina Rigoni**, Corporate Counsel, Nestlé Legal Team, Nestlé Australia and **Kim Tonnet**, Regulatory Manager - Scientific and Technical Affairs, Australian Food and Grocery Council

## HEALTH & LIFE SCIENCES: TECHNOLOGY & THE LAW


RECORDED IN NOVEMBER 2019 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND1911N11

You won't find another program like this one with its comprehensive guide to the major legal developments impacting the health & life sciences sector, all brought to you by leading legal authorities in the area. Gain up to the minute guidance on how to deal with significant and recent regulatory reforms, the game changing impact of technology in the sector, critical IP issues shaping the space and the latest in an ever-evolving privacy landscape.

Chair: **Kim O'Connell**, Partner, King & Wood Mallesons; *Best Lawyers* 2019, Alternative Dispute Resolution, Biotechnology Law, Intellectual Property Law, Life Sciences Practice, Litigation, Product Liability Litigation; Leading Contentious Intellectual Property Lawyer, *Doyle's Guide* 2019

### Privacy Update: Technology, Data and Privacy Pitfalls in the Health & Life Sciences Sector


- General Data Protection Regulation (GDPR), the EU's new privacy law: practical issues for Australian companies with overseas dealings
- Mandatory data breach reporting: How's it panning out?
- Perennial issues in life sciences direct marketing: building a clean database and what to do with a dirty one – when is it spam?

 Presented by **Geoff Bloom**, Partner, HWL Ebsworth Lawyers; *Best Lawyers* 2019, *Doyle's Guide* 2019

### Digital Health Apps and Websites: When is Software a Medical Device?


In 2019, highly sophisticated software plays a role in all facets of our lives. With the rise of smartphone apps and online delivery systems, it also plays an ever-expanding role in monitoring, regulating and informing our health and the provision of healthcare services. Explore issues surrounding:

- The regulation of software as a medical device (SaMD)
- The intersection between software, hardware and combined systems
- When does an app cross over from a wellness product into the therapeutic goods space?
- What might the future hold for these products in Australia?

 Presented by **Alexandra Rose**, Partner and **Christabel Richards-Neville**, Lawyer, Clayton Utz


### IP Update: Key Recent Patent Litigation Developments

- Is the Federal Court recalibrating the balance of convenience?
- Launching at risk: the value of an undertaking as to damages after *Efexor*
- Methods of treatment patents: consideration of grant and form of injunctions
- Biologics and Biosimilars update

 Presented by **Jane Owen**, Partner, Bird & Bird; *Best Lawyers* 2019, Life Sciences Practice, Litigation; Recommended Contentious Intellectual Property Lawyer, *Doyle's Guide* 2019

### Regulatory Update: Advertising and Marketing of Medical Products and Devices

- Guidance on the revised Therapeutic Goods Advertising Code 2018
- Impact on the health and life sciences sector
- Key changes, differences and how the disciplinary process is playing out in practice
- Increased penalties under the *Therapeutic Goods Act*
- Impacts on the use of social media

 Presented by **Mandi Jacobson**, Partner & Head of Life Sciences Group, Dentons

**4 ATTEND AND EARN**

4 CPD units in Substantive Law

## NOT FOR PROFITS AND CHARITIES LAW FORUM

RECORDED IN NOVEMBER 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND2011N17

Navigate the many issues facing your clients or your organisation given COVID-19 and recent Royal Commissions in this detailed morning packed with informative and practical sessions from a diverse range of speakers. Scrutinise the financial issues resulting from COVID-19. Catch up on the latest employment law issues. Analyse director's duties and restructuring options. Examine critical new law coming from Royal Commission findings. Consider financial reporting and tax and compliance issues.

Chair: **Vera Visevic**, Partner, Mills Oakley

### The Aftermath of COVID-19 and the Not for Profit and Charities Sector: Panel Discussion

- Finance: preserving funding, reducing costs, accessing government funding
- Specific relief for the NFP sector
- Operational concerns: purpose, employees & volunteers, contracts
- What does the future hold?

 Panellists:

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

**Angela Ford**, CEO, Australian Himalayan Foundation

**Nigel Harris**, Managing Director, Nigel Harris and Associates (Qld)


### Financial Reporting in a COVID-19 Environment: What to Expect

- How COVID-19 affects a Not for Profit's financial reports
- How a Not for Profit's financial statements have changed with the application of:
  - AASB 15 Revenues from Contracts with Customers
  - AASB 1058 Income of Not-for-Profit Entities
  - AASB 16 Leases

 Presented by **Simon Hancox**, National Head of Not for Profit, Grant Thornton


### Current Tax and Compliance Issues for Charities & NFPs

- Practical issues & problems in obtaining much sought after Public Benevolent Institution (PBI) status
- Emerging challenges for some non-DGR charities in complying with their 'In Australia' requirement
- Ongoing uncertainties re gifts to DGRs for specific restricted purposes
- How far can charities get involved in political advocacy

 Presented by **John King**, Consultant, Prolegis Lawyers

### Not for Profits & Charities: Directors' Duties & Restructuring Considerations

- Directors' duties and governance considerations arising from a potential restructure, including under ACNC requirements and the *Corporations Act* 2001 (Cth)
- Consequences following breach of directors' duties, including common law and criminal penalties
- Protections from potential breach of directors' duties, including 'safe harbour' and COVID-19 relief considerations
- Impact of recent developments and reforms, incl. the ACNC External Conduct Standards

 Presented by **Darren Fittler**, Partner and Elizabeth Lathlean, Senior Lawyer, Gilbert + Tobin

**4 ATTEND AND EARN**

4 CPD units in Substantive Law

# AGED CARE AND RETIREMENT VILLAGE LAW 2020: THE LEGAL ISSUES

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7CPD UNITS [>click here to see online](#)

\$770  
OND2011N14

Prepare yourself to navigate the many new legal, regulatory & compliance risks facing the aged care and retirement village industries right now. Scrutinise the latest legislation in regulatory compliance and governance. Catch up on the critical employment law concerns now facing the industry. Consider how to manage disputes, elder abuse, & capacity issues. Consider care agreements and contracts in today's environment. Examine emerging finance and funding issues.

## SESSION 1: GOVERNANCE AND COMPLIANCE IN THE AGED CARE SETTING

4 CPD UNITS      OND2011N14A      \$490

Chair: **Jessica Kinny**, Solicitor Director, Kinny Legal, *The Best Lawyers*™ in Australia, Health and Aged Care Law; Retirement Villages and Senior Living Law, 13th Edition (2021); *Acquisition International*, Best Aged Care & Healthcare Lawyer, Australia (2020); *Doyle's Guide to Leading Health & Aged Care Lawyers*, New South Wales (2020, 2019, 2018)

### Insights from the Aged Care Industry Association: Current Issues in Elder Care

Presented by **Luke Westenberg**, Chief Executive Officer, Aged Care Industry Association

### Complex Regulatory Compliance Issues and Organisational Governance for Residential Aged Care Providers

Significant regulatory compliance changes post 1 January 2020 following the expansion of the role of the Aged Care Quality and Safety Commission will have a continuing impact on governance issues. Explore these changes in the context of:

- The use of physical and chemical restraints
- High impact clinical risks
- Assessment processes and review rights
- Standard 8: organisational and clinical governance

Presented by **Madeline Walsh**, Partner, and **Lucinda Smith**, Partner, Thomson Geer; Preeminent Health and Aged Care Lawyer, *Doyle's Guide* 2019

### IR Working Groups: How will the Upcoming IR Reforms Affect the Aged Care Sector

Presented by **Michal Roucek**, Senior Associate, FCB Group

### Compliance: What Really Happens at the Coalface

- Pride Living's Aged Care Industry non-compliance data analysis
- Through discussion of case studies you will discuss and analyse:
  - Management and staff turnover
  - Change management
  - Training staff
  - Shifting practice and culture
- Response to the Aged Care Quality and Safety Commission
- Benefits of independent reviews & root cause analysis

Presented by **Katrina Ong**, Partner – Quality Management and Clinical Governance, Pride Living Group

### Disputes between Residents, Family and Providers

- Managing resident, family and provider interactions
- Governance and duty of care during COVID-19
- Remedies & liability for harm

Presented by **Catherine Henry**, Principal, Catherine Henry Lawyers

### Class Actions and the Aged Care Industry: What to Expect

- An overview of class actions in Australia
- What does an aged care class action look like?
- Strategic considerations
- Steps providers can take now

Presented by **Cameron Harvey**, Partner and Practice Group Leader and **Jack Pembroke-Birss**, Partner, Norton Rose Fulbright

## SESSION 2: FINANCIAL, CONTRACTUAL & ABUSE ISSUES

3 CPD UNITS      OND2011N14B      \$405

Chair: **Irene Ryan**, Barrister, Frederick Jordan Chambers

### Issues for Intending Residents: Care Agreements & Village Contracts

- Retirement villages vs aged care facilities and the provision of care in retirement villages
- What to look for in any Care Agreement particularly if in a serviced apartment
- What to look for in a Village Contract including:
  - Capital Gains
  - Departure Fee calculation
  - Level of recurrent charges and their increase
- Village rules

Presented by **Guy Vinden**, Head of Aged Care, Health and Retirement Villages, Atkinson Vinden Lawyers; Recommended Health & Aged Care Lawyer, *Doyle's Guide* 2018

### Finance and Funds Emerging Issues: Operator and Resident Perspectives

- Impact of COVID-19 on resident agreements
- Moving away from a lump sum based seniors living system
- Using resident contracts to meet consumer demands
- Additional services in aged care and villages
- Integrating home care into village contracts

Presented by **Arthur Koumoukelis**, Partner, Thomson Geer; Recommended Health & Aged Care Lawyer, *Doyle's Guide* 2019

### Financial Elder Abuse: Identifying, Responding and the Aftermath

- Defining elder abuse
- Circumstances in which financial exploitation of elders can occur
- Methods to identify financial elder abuse
- Legal remedies for financial elder abuse
- Does an aged care facility owe a duty of care to prevent financial elder abuse?

Presented by **Daniel Fleming**, Partner, Pigott Stinson Lawyers

### Capacity and Elder Abuse: The Medical Perspective

- The medical perspective on mental impairment and how it impacts the elderly and their level of capacity
- The different states of mental impairment in the elderly, some of the causes, and some potential outcomes
- Understanding how mental impairment and capacity is assessed by medical professionals
- How elder abuse comes into play and how it can be observed by medical professionals

Presented by **Tuly Rosenfeld**, Conjoint Associate Professor UNSW and Notre Dame University Sydney; Adjunct Professor UTS; Specialist Ageing and Medicine Centre

## 7 ATTEND THE FULL DAY AND EARN

6 units in Substantive Law  
1 units in Professional Skills

# MEDICINAL CANNABIS: LEGAL AND BUSINESS UPDATE

RECORDED IN JUNE 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND206N08

Back by popular demand, you don't want to miss the second annual cannabis legal issues update. With the medicinal cannabis sector continuing to grow at a rapid rate this is the perfect time to get in on the ground floor so you don't miss your chance in this growing field of law. Hear about the latest legislative developments including the outcomes of the Senate inquiry into patient access to medicinal cannabis.

Chair: **Mick Palmer AO APM**, Consultant, Former Commissioner of Police, Australian Federal Police

## Outcomes of the Senate Inquiry into Patient Access to Medicinal Cannabis

- Terms of reference
- Content of public submissions
- Public hearing on the Inquiry: What did stakeholders have to say?
- Senate Inquiry Report
- What will happen next?

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

## Medicinal Cannabis Patient Update in 2020

- How many people are getting access to medical cannabis in Australia, and for what conditions?
- How much are people paying for cannabis medicines, and what kinds of products are they being prescribed?
- What are the key drivers of and barriers to patient access in Australia?

 Presented by **Rhys Cohen**, Principal Consultant, FreshLeaf Analytics


## Legal Issues Emerging in the Courts

- Changing perspective of courts regarding cannabis use for pain relief
- Criminal issues suppliers need to be aware of
- Tension between an inadequate licit scheme and illicit sources
- Updated criminal defences, including duress
- Doctors successfully using the defence of medical necessity
- Liability: use as medication for children and the associated child protection issues
- Evolving defences for drug-driving on medicinal cannabis
- Drug-driving offences: case law update

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


## Cannabis: The Australian Situation in a Global Context

- Australia's obligations as a signatory to UN Conventions
- The subsequent local instance, including export
- How that situates Australia in comparison to the rest of the world

 Presented by **Sean Hocking**, Head of News, Co-founder, Cannabis Law Report and **Cameron McDonald-Stuart**, CEO, Axtar


## Cannabis Insurance Issues

- Potential pitfalls for medical professionals around TGA approval processes
- Telehealth and access
- Emerging scientific data: limitations and challenges
- Growth opportunity (e.g. for Authorised Prescribers) vs affordability

 Presented by **Luke Wakefield**, Senior Claims Consultant, Berkshire Hathaway Specialty Insurance

## Legal Issues for Cannabis Businesses

- How to navigate the complex regulatory environment
- Unique issues in this industry
- Suitable persons, directors and staff
- IP in the medicinal cannabis space

 Presented by **Julian Grover**, Special Counsel, Mills Oakley

### 4 ATTEND AND EARN

4 CPD units in Substantive Law

# WOMEN IN LAW: OVERCOMING HARASSMENT, DISCRIMINATION & BIAS

RECORDED IN OCTOBER 2020 IN NSW \$490  
4 CPD UNITS [>click here to see online](#) OND2010N04

Attend to be educated, motivated, and empowered. Sexual harassment, discrimination & gender bias in the legal profession are being acknowledged and discussed like never before, but the truth is that real change continues to be slow to come. Gain frank, honest & real-world insights into how you can navigate the challenges facing women in law. From dealing with misconduct to career changes, to leadership, our panel will share how you can take action to guide your career in the direction you want it to go.

## Countering Gender Bias in the Legal Profession

- Equal opportunity legislation and diversity policies
- Managing conflict and combatting unprofessional behaviour
- Challenging unfair or inappropriate practices in your workplace
- Dealing with dated, difficult and biased perceptions

 Presented by **Kate Eastman SC**, New Chambers

## Sexual Harassment: the Latest Developments and Where to From Here


- Sexual harassment law reform specifically in the legal profession
- Sexual harassment law reform more broadly, incl. the recent human rights inquiry report recommending significant change to the law
- Recent developments in the area
- What it all means in practice for women in the legal profession dealing with these issues right now

 Presented by **Leah Marrone**, South Australian Director and Vice President, Australian Women Lawyers Ltd

## The Elephant in the Room: A Discussion with the Speaking Panel

Sexual harassment and discrimination is pervasive in the legal profession and has been for a long time. Nothing's really changing, at least not fast enough. So what should we do right now to thrive in our profession?


- The challenges women face in the legal profession
- Developing strategies to overcome those challenges and roadblocks
- Practical, real world guidance for countering misconduct
- Examples and tips for dealing with colleagues, clients, opposing counsel, the judiciary and others who behave inappropriately

 Presented by the **Speaking Panel**

## It's Not Where You Start, It's Where You Finish"


### - A Personal Perspective: 50 Years of Fun

- Recognising and taking advantage of the forks in the road as you hurtle along the highway of life
- Changing career direction: avoiding pitfalls and brick walls in the process
- Transferring your skill set
- Keep learning
- Dealing with discrimination such as gender, age, disability, etc.
- Always have fun or stop doing it

 Presented by **Susan Aufgang**, Barrister, Svenson Barristers; Past Member, Victorian Bar Equality & Diversity Committee and Current Member, Women Barristers Association Committee

## 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 **Susan Aufgang**, Barrister, Svenson Barristers; Past Member, Victorian Bar Equality & Diversity Committee and Current Member, Women Barristers Association Committee

### 4 ATTEND AND EARN

1 CPD unit in Ethics & Professional Responsibility  
1.5 CPD units in Practice Management & Business Skills  
1.5 CPD units in Professional Skills



# FILM AND TELEVISION LAW CONFERENCE: RECOVERY AND BEYOND

RECORDED IN OCTOBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2010N20


In this timely and practical conference you will delve into how to navigate the many legal risks and challenges that the industry is facing right now. Gain a global perspective on the industry from a major film distribution company in New York. Examine strategies and protocols to successfully reignite production while avoiding the related legal risks. Explore how to navigate the latest legal issues in insurance, immigration, structuring, contracting and more.

Chair: **Mark Bamford**, Director, Simpsons Solicitors and **Sonia Borella**, Consultant, Simpsons Solicitors

## COVID PRODUCTION IMPACT: LEGAL RISKS & RECOVERY STRATEGIES

### Keynote Address Live from New York: The Global Perspective

Examine and analyse the legal challenges and the impact of COVID-19 on traditional film release and distribution and look beyond to what the future may bring for the industry from a global perspective.

 Presented by **David Morrison**, Head of Business Affairs, Magnolia Pictures

### Update on COVID's Production Impact: The Opportunities, Legal Pitfalls and Lessons Learned

- IR and WHS risks: contracting and working safely
- Practicalities of managing production: cast and crew and on location
- The cost impact of complying with COVID safe production methods: What is the real cost?
- Financing productions during COVID: investors, financiers, broadcasters and distributors
- Screen Australia on managing the Government's \$50M underwriting of COVID risks
- Review of current production: challenges and opportunities

 Panellists:

**Georgina Waite**, Facilitator, Head of Content Business, Australian Broadcasting Corporation

**Max Dalton**, Head of Business and Legal Affairs, Fulcrum Media Finance

**Tim Phillips**, Head of Business Affairs and Content, Screen Australia

**Zoe Angus**, Director, Industry and Commercial, Screen Producers Associations, Australia

**Kate Hynes**, Head of Legal and Business Affairs, Hoodlum

**Lyn Norfor**, Acting Head of Producing and Production, Australian Film Television and Radio School

**Sally Caplan**, Head of Content, Screen Australia

### COVID Safe Guidelines for the Film and Television Industry: Navigating the Legal Issues


 Presented by **Michael Tooma**, Managing Partner, Clyde & Co

### Managing Insurance Risks around Recovery and Beyond

 Presented by **David McEwan**, Founding Director, Galvaniize Insurance

### Immigration Law: Border Restrictions and Critical Skills Update

- Border and quarantine: what is happening
- Visa processing: who is getting visas
- Where to next


 Presented by **Ron Kessels**, Partner and Navpreet Kanwar, Solicitor and Team Manager, Ajuria Lawyers

## FINANCE AND COMPANY STRUCTURING

### Supporting Australian Stories on our Screens: The Government Options Paper


- The rise of digital platforms, and the challenge for the traditional broadcaster regulatory framework
- Developments in screen finance across different types of programming
- Proposals on the table, with models from no change to complete deregulation

- The position of the various players, and the future of the film and TV industry in Australia

 Presented by **Michael Brealey**, COO, Screen Australia and **Daniel Pearce**, Partner, Holding Redlich

### Production Company Structuring

- New solutions to traditional corporate and financing structures
- Issues affecting foreign-owned production companies
- Trends in cashflow and gap financing, including corporate guarantees and personal undertakings
- Impacts of revised production deadlines on financing documents

 Presented by **Nick Mark**, Associate, Blueprint Law and **Tony Nagle**, Principal, Nagle Accounting

## CONTENT AND CONTRACTING IN TODAY'S ENVIRONMENT


### Australian Content Quota: Are we Maintaining a Cultural Identity?

- Setting out the existing Australian content quota system
- The context of how they work, why they are outdated/why or where there is a policy failure in terms of their operation
- The current government review, what they are looking at & options for the future

 Presented by **Sarah Waladan**, Head of Legal and Regulatory Affairs, Free TV Australia

### Contracting Cast and Crew in the Film and Television Industry

- Industrial framework for contracting cast and crew
- Contracting for offshore productions
- Common contracting and employment issues

 Presented by **Zachary Parker**, Lawyer and **Angela Scurrah**, Consultant, Simpsons Solicitors



# MEDIA LAW CONFERENCE

RECORDED IN NOVEMBER 2020 IN NSW  
UP TO 7 CPD UNITS [>click here to see online](#)

\$770  
OND2011N18

The media law landscape is once again in the spotlight with so much reform and change to analyse and navigate. You will find all the important issues here including an update from the ACCC, the new defamation act, social media liability, pre-publication advice and the news media bargaining code. You will hear from the leading experts in each field as we dissect the events of 2020 and look at what the future might bring. This annual conference is a must for anyone in the media industry.

## SESSION 1: REFORMS AND UPDATES IN THE MEDIA LAW LANDSCAPE


4 CPD UNITS      OND2011N18A      \$490

Chair: **Clarissa Amato**, Barrister, Banco Chambers

### KEYNOTE ADDRESS

#### Keynote Address from the ACCC

Hear directly from the regulator regarding the latest decisions, trends and developments that will impact your practice.

 Presented by **Kate Reader**, Joint General Manager, Digital Platforms Branch, ACCC

### PANEL DISCUSSION

#### Pre-Publication Advice

- The responsible journalism defence: Will it change the playing field?
- Serious harm threshold: Is it a factor in prepublication clearances?
- The appetite for risk: impact of the million dollar plaintiffs
- Advising the resource-restrained newsroom
- From clearance to courtroom: assessing witnesses and documents

 Panellists:

**Kevin Lynch**, Partner, Johnson Winter Slattery


**Marlia Saunders**, Senior Litigation Counsel, NewsCorp Australia

**Prash Naik**, Principal, Prash Naik Consulting

**Kathryn Wilson**, Senior Lawyer, Prepublication and Training, ABC

#### Contempt of Court Law Proposal in Victoria and the Implications for Other States

- What is the proposal?
- What would it mean for:
  - Reporting Courts in Victoria
  - The principle of open justice
  - Freedom of speech
- Should media organisations in other states be worried?

 Presented by **Justin Quill**, Partner, Thomson Geer (live web stream from Melbourne)

#### Addressing Online Piracy in Australia

 Presented by **Andrew Stewart**, Partner, Baker McKenzie

#### Intellectual Property Issues in the Media

- Online creativity and intellectual property rights
- Copyright protection in cyberspace.
- Protecting IP in media and entertainment.
- Is the internet the new pirate ship?

 Presented by **Dan Pearce**, Partner, Holding Redlich

## SESSION 2: DEFAMATION AND DIGITAL MEDIA REGULATION

3 CPD UNITS      OND2011N18B      \$405

Chair: **Michael Williams**, Partner, Gilbert & Tobin

#### Putting it in Perspective: The Practical Implications of Privacy and Defamation Law Reform


Consider the key aspects of the current reform process with insights from other jurisdictions in relation to how similar issues have been handled.

- Key public policy considerations
  - Why the principles matter
  - Key comparisons: the US and the UK
  - The APAC perspective
- Insights from the UK: what will serious harm and the public interest test mean in practice?
- How does privacy reform fit into this picture?
- Privacy and defamation online: what is over the horizon?

 Presented by **Sophie Dawson**, Partner, Bird and Bird


#### The New Defamation Act: The Federal Implications

Examine how it will impact procedure and outcomes in media and non-media defamation cases.

 Presented by **Sue Chrysanthou SC**, Barrister, 153 Phillip Barristers; Preeminent Technology, Media and Telecommunications, Senior Counsel, *Doyle's Guide 2020*

#### Why Buy the Cow When you can get the Milk for Free: The Genesis of the ACCC's News Media Bargaining Code

- The story so far and what's happened with Google and Facebook in the EU and US
- The bargaining inequality between digital platforms and news publishers
- How the Code is intended to cure the inequality
- How the Code works in practice

 Presented by **Hannah Marshall**, Partner and **Danielle Kroon**, Lawyer, Marque Lawyers

#### Fake News or Free Speech: The Role of Social Media Companies in Regulating Disinformation

- Disinformation on social media in 2020
- Steps taken by Twitter and Facebook in relation to tweets by President Trump
- The US and s 230
- Australia and recommendation 15 of the Digital Platforms Inquiry Report

 Presented by **Rebecca Dunn**, Partner, Gilbert and Tobin

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SEMINAR NAME	Code	Std. Price	On Demand	SEMINAR NAME	Code	Std. Price	On Demand
10 Points in One Day Parramatta	OND202P01	\$960	<input type="checkbox"/>	Session 3: Privacy and Information Requests	OND203C02C	\$295	<input type="checkbox"/>
Session 1: Stream A: Property Law Updates	OND202P01A	\$405	<input type="checkbox"/>	Session 4: Decision Making and Public Interest ...	OND203C02D	\$295	<input type="checkbox"/>
Session 1: Stream B: Wills and Estates and Family ...	OND202P01B	\$405	<input type="checkbox"/>	Government Litigation Review	OND208N14	\$490	<input type="checkbox"/>
Session 2: CPD Compulsory Units for All Lawyers	OND202P01C	\$405	<input type="checkbox"/>	Effective Decision Making in Public Law	OND2010N16	\$490	<input type="checkbox"/>
Session 3: Stream A: Commercial Law Roundup	OND202P01D	\$490	<input type="checkbox"/>	Migration Law Symposium	OND203N27	\$770	<input type="checkbox"/>
Session 3: Stream B: Litigation Skills, Personal Injury, Disputes and Contracts	OND202P01E	\$490	<input type="checkbox"/>	Session 1: CPD Compulsory Units for Immigration Lawyers and Migration Agents	OND203N27A	\$405	<input type="checkbox"/>
10 Points On A Saturday	OND203N19	\$960	<input type="checkbox"/>	Session 2: Keeping Up to Date with Current Migration Practice	OND203N27B	\$490	<input type="checkbox"/>
Session 1: Family Law, Wills and Estates & Insolvency Update	OND203N19A	\$405	<input type="checkbox"/>	Intellectual Property Conference	OND203N11	\$770	<input type="checkbox"/>
Session 2: CPD Compulsory Units for All Lawyers	OND203N19B	\$405	<input type="checkbox"/>	Session 1: IP Update	OND203N11A	\$490	<input type="checkbox"/>
Session 3: Property and Commercial Law Roundup	OND203N19C	\$490	<input type="checkbox"/>	Session 2: CPD Compulsory Units for IP Lawyers	OND203N11B	\$405	<input type="checkbox"/>
Construction: Duties and Disputes	OND2011N10	\$295	<input type="checkbox"/>	Advanced Evidence and Advocacy Masterclass	OND202N04	\$770	<input type="checkbox"/>
Quantum Meruit: Navigating Critical Changes	OND207V08	\$155	<input type="checkbox"/>	Session 1: Mastering the Art of Advocacy	OND202N04A	\$490	<input type="checkbox"/>
Advanced Commercial Litigation Conference	OND203N16	\$770	<input type="checkbox"/>	Session 2: Evidence Masterclass	OND202N04B	\$405	<input type="checkbox"/>
Session 1: Key Commercial Litigation Issues	OND203N16A	\$490	<input type="checkbox"/>	The Civil Litigator's Toolkit	OND208N13	\$840	<input type="checkbox"/>
Session 2: CPD Compulsory Units for Commercial Litigators	OND203N16B	\$405	<input type="checkbox"/>	Session 1: Pleadings, Affidavits, Injunctions & Experts	OND208N13A	\$490	<input type="checkbox"/>
In-House Litigation: Regulatory Disputes, Damages, Costs & Privilege	OND206N05	\$490	<input type="checkbox"/>	Session 2: Advocacy, Trial & Settlement	OND2011N13B	\$490	<input type="checkbox"/>
In-House Counsel: CPD Compulsory Units	OND2012N01	\$405	<input type="checkbox"/>	NCAT Practice and Procedure	OND203N33	\$490	<input type="checkbox"/>
SMSFs: The A-Z of Legal Issues	OND203N31	\$490	<input type="checkbox"/>	Mediation Masterclass: Positive Results for Pleased Clients	OND203N42	\$405	<input type="checkbox"/>
Comprehensive Legal Update for Your Commercial Clients	OND203N24	\$405	<input type="checkbox"/>	The New Personal Injury Commission Forum	OND2010N12	\$295	<input type="checkbox"/>
Business Sales: Legal Issues	OND203N17	\$770	<input type="checkbox"/>	Compulsory Units for Personal Injury Lawyers	OND2011N09	\$405	<input type="checkbox"/>
Session 1: Significant Business Sales Legal Issues	OND203N17A	\$490	<input type="checkbox"/>	Current Concerns in Medical Negligence	OND202N05	\$490	<input type="checkbox"/>
Session 2: Building Your Business Sales Skills	OND203N17B	\$405	<input type="checkbox"/>	TPD and Superannuation for Personal Injury Lawyers	OND2010N11	\$155	<input type="checkbox"/>
Trusts and Deeds Advanced Review	OND203N32	\$405	<input type="checkbox"/>	Civil Claims for Institutional Abuse: Settlements, Stays & Damages	OND2010N03	\$490	<input type="checkbox"/>
PPSA Updates and Strategies	OND203N37	\$490	<input type="checkbox"/>	Personal Injuries: 3 Strategies to Maximise Damages	OND209N01	\$405	<input type="checkbox"/>
Directors & Officers: Know the Duties	OND203N39	\$490	<input type="checkbox"/>	Worker Compensation and CTP Update	OND2011N19	\$770	<input type="checkbox"/>
Demystifying Venture Capital and Private Equity Transactions	OND203V18	\$405	<input type="checkbox"/>	Session 1: Workers Compensation Roundup	OND2011N19A	\$490	<input type="checkbox"/>
Franchising Law: Updates, Disputes & Compliance Obligations	OND209N10	\$405	<input type="checkbox"/>	Session 2: CTP Update	OND2011N19B	\$405	<input type="checkbox"/>
Doing Business with China: Legal Issues	OND1911N03	\$490	<input type="checkbox"/>	Property Law Conference	OND203N02	\$770	<input type="checkbox"/>
5th Annual Credit Law Conference	OND2011N25	\$770	<input type="checkbox"/>	Session 1: Comprehensive Update of Critical Developments	OND203N02A	\$490	<input type="checkbox"/>
5 Skills for the Commercially Minded In-House Counsel	OND1911Q05	\$490	<input type="checkbox"/>	Session 2: CPD Compulsory Units for Property Lawyers	OND203N02B	\$405	<input type="checkbox"/>
Consumer Law: The New State of Play	OND206W06	\$405	<input type="checkbox"/>	A Practical Guide to Critical Conveyancing Issues	OND2010N17	\$770	<input type="checkbox"/>
Defamation Law Forum	OND206N01	\$490	<input type="checkbox"/>	Retail and Commercial Leasing Fundamentals Workshop	OND2011N01	\$405	<input type="checkbox"/>
Class Actions: A Comprehensive Guide	OND206N10	\$490	<input type="checkbox"/>	Retail and Commercial Leasing: Current Issues and Concerns	OND209N11	\$490	<input type="checkbox"/>
Advertising & Marketing Law Conference 2020	OND2010N14	\$770	<input type="checkbox"/>	Wills and Estates Disputes Conference	OND2011N07	\$770	<input type="checkbox"/>
Session 1: Online Marketing and Advertising Issues in 2020	OND2010N14A	\$490	<input type="checkbox"/>	Session 1: Family Provision Claims - Your Essential Guide	OND2011N07A	\$490	<input type="checkbox"/>
Session 2: Regulatory Intervention, Amendments and Update	OND2010N14B	\$405	<input type="checkbox"/>	Session 2: Hearing Preparation, Notional Estate and Family Law Impact	OND2011N07B	\$405	<input type="checkbox"/>
CPD Compulsory Units: Over Lunch, Over 3 Weeks	OND208N15	\$405	<input type="checkbox"/>	Family Provision Claims Conference 2020	OND209N07	\$770	<input type="checkbox"/>
A Guide to Navigating Sexual Harrassment Issues in the Legal Workplace	OND208N15A	\$155	<input type="checkbox"/>	Session 1: Case Updates, Informal Wills and Superannuation Disputes	OND209N07A	\$490	<input type="checkbox"/>
Improving IT Security: Legal Practices at a Substantial Risk as Prime Targets	OND208N15B	\$155	<input type="checkbox"/>	Session 2: Family Provision Claims and Construction of Wills Disputes	OND209N07B	\$405	<input type="checkbox"/>
Maximising Productivity & Results by Managing Stress And Work/Life Balance	OND208N15C	\$155	<input type="checkbox"/>	Testamentary Trusts Workshop	OND203N26	\$405	<input type="checkbox"/>
CPD Compulsory Units for All Lawyers	OND203N06	\$405	<input type="checkbox"/>	Contract Law Masterclass: Liability & Risk	OND2011N02	\$490	<input type="checkbox"/>
Business Skills for Lawyers	OND203N44	\$405	<input type="checkbox"/>	Contract Law Disputes 2020	OND209N12	\$405	<input type="checkbox"/>
CPD Compulsory Units: Costs and Billing for All Lawyers	OND203N38	\$405	<input type="checkbox"/>	Religious Based Institutions: The Legal Issues	OND2011N24	\$770	<input type="checkbox"/>
Understanding Financial Reports for Lawyers: A Practical Workshop	OND203V36	\$490	<input type="checkbox"/>	Session 1: Regulatory Issues, Boards & Governance	OND2011N24A	\$490	<input type="checkbox"/>
Driving Offences: Major Update	OND203N29	\$405	<input type="checkbox"/>	Session 2: Leveraging Assets and Current Litigation Issues	OND2011N24B	\$405	<input type="checkbox"/>
Criminal Law Conference 2020	OND2011N04	\$770	<input type="checkbox"/>	2nd Annual Architects Legal Symposium	OND2011N16	\$395	<input type="checkbox"/>
Session 1: Hot Topics in Criminal Law	OND2011N04A	\$490	<input type="checkbox"/>	Liquor and Gaming Law Roundtable 2020	OND203N09	\$490	<input type="checkbox"/>
Session 2: CPD Compulsory Units for Criminal Lawyers	OND2011N04B	\$405	<input type="checkbox"/>	Drone Regulation: Risk & Liability	OND203Q14	\$490	<input type="checkbox"/>
Workplace Law Symposium: The Crucial Issues of 2020	OND2011N03	\$770	<input type="checkbox"/>	Native Title Intensive	OND2011N20	\$490	<input type="checkbox"/>
Session 1: The Critical Developments of 2020	OND2011N03A	\$490	<input type="checkbox"/>	Food Law Conference: Now and Beyond	OND2011N15	\$770	<input type="checkbox"/>
Session 2: Urgent Concerns - Termination, Discrimination, and Investigations	OND2011N03B	\$405	<input type="checkbox"/>	Session 1: Health Nutrition Claims, Allergens and Intellectual Property	OND2011N15A	\$490	<input type="checkbox"/>
Your Expert Guide to Discrimination and Adverse Action Claims	OND203N25	\$490	<input type="checkbox"/>	Session 2: Advertising Standards Review, Labelling & What is Misleading	OND2011N15B	\$405	<input type="checkbox"/>
Planning, Environment and Development Law Alert	OND209N16	\$405	<input type="checkbox"/>	Trade Marks and Patents Conference 2020	OND205N03	\$690	<input type="checkbox"/>
Water Symposium 2020	OND2010N13	\$770	<input type="checkbox"/>	Session 1: Trade Marks Update and Developments	OND205N03A	\$405	<input type="checkbox"/>
Family Law Interdisciplinary Issues: Tax, Super and Crime	OND209N09	\$405	<input type="checkbox"/>	Session 2: Advertising Standards Review, Labelling & What is Misleading	OND205N03B	\$405	<input type="checkbox"/>
Session 1: Tax, SMSFs and Trusts in Property Settlements	OND209N09A	\$490	<input type="checkbox"/>	Not For Profits and Charities Law Forum	OND2011N17	\$490	<input type="checkbox"/>
Session 2: Family Law and the Intersection with Criminal Law	OND209N09B	\$405	<input type="checkbox"/>	Aged Care and Retirement Village Law 2020: The Legal Issues	OND2011N14	\$770	<input type="checkbox"/>
Family Law Financial Settlements	OND206N41	\$405	<input type="checkbox"/>	Session 1: Governance and Compliance in the Aged Care Setting	OND2011N14A	\$490	<input type="checkbox"/>
Family Law Drafting Intensive	OND203N43	\$490	<input type="checkbox"/>	Session 2: Financial, Contractual & Abuse Issues	OND2011N14B	\$405	<input type="checkbox"/>
Family Law Forum: High-Value & Complex Property and Financial Settlements	OND2011N23	\$770	<input type="checkbox"/>	Medicinal Cannabis: Legal & Business Update	OND206N08	\$490	<input type="checkbox"/>
Session 1: Identifying and Dividing up the Assets	OND2011N23A	\$490	<input type="checkbox"/>	Women in Law: Overcoming Harrassment, Discrimination & Bias	OND2010N04	\$490	<input type="checkbox"/>
Session 2: Weight of Contributions, BFA's and Binding Support Agreements	OND2011N23B	\$405	<input type="checkbox"/>	Health & Life Sciences: Technology & the Law	OND1911N11	\$490	<input type="checkbox"/>
10 Points in One Day: Government Practice	OND203C02	\$770	<input type="checkbox"/>	Film and Television Law Conference: Recovery and Beyond	OND2010N20	\$770	<input type="checkbox"/>
Session 1: Government Contracts and ...	OND203C02A	\$405	<input type="checkbox"/>	Media Law Conference	OND2011N18	\$770	<input type="checkbox"/>
Session 2: CPD Core Areas for Government Lawyers	OND203C02B	\$405	<input type="checkbox"/>	Session 1: Reforms and Updates in the Media Law Landscape	OND2011N18A	\$490	<input type="checkbox"/>
				Session 2: Defamation and Digital Media Regulation	OND2011N18B	\$405	<input type="checkbox"/>

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