

Commercial Law track program

8 March 2024 | 5 hours | 5 CPD points

63 min



Unfair Contract Terms for small businesses – practical drafting implications for lawyers

While commercial practitioners will be familiar with the new laws for Unfair Contract Terms (UCTs) for small businesses, many will still be grappling with the practical implications for lawyers.

Our presenters will delve into UCTs in a practical drafting context, including what lawyers need to update when drafting their own precedents (standard lease terms, conditions and terms of credit application, standard form contract, etc), costs agreements as well as in advising and preparing documents for clients.

Presenters:

Peter Mills, Special Counsel, LawSolve

Kathryn Finlayson, Partner, Minter Ellison

Chair:

Dr Paul O'Shea, Principal, O'Shea Lawyers; Adjunct Professor, TC Beirne School of Law; Member, Queensland Law Society Banking and Financial Services Law Committee; Member, Queensland Law Society Competition and Consumer Law Committee

61 min



State of Play: A year of work health and safety cases under the spotlight

The session will focus on recent cases related to psychosocial hazards at work. The presenters will consider these cases in light of the Code of Practice: Managing psychosocial hazards at work and discuss exemplary management of psychosocial health and safety risks in the workplace.

Presenters:

Harold Downes, Partner, Mills Oakley

Adrianna Loveday, Executive Lead Psychosocial Safety and Transformation, Sentis

Chair:

Elise Humpherys, Legal Professional Development Executive, Queensland Law Society

60 min



Where is the line of advice?

In this session, our experts will discuss how to guide a client in today's complex and risk averse commercial environment.

Our panel will work through a practical scenario applying solicitors' obligations and best practice tips to demonstrate how practitioners can safely ensure they are fulfilling their role as lawyers, leaders and the expectation of 'commercial' in commercial law.

Panellists:

David Bowles, Special Counsel, QLS Ethics and Practice Centre, Queensland Law Society

Suzanne Brown, Director and Principal Solicitor, McKays Solicitors; Accredited Specialist (Business Law) – Qld



SYMPOSIUM

Lee Xue Ding, Managing Partner, Lee and Associates Accountants

Chair:

Colin Lee, Founder & CEO, Inspire Realty

Chaired by Track Partner Inspire Realty



57 min



Corporate restructuring – taxation and duty considerations with available exemptions

In recent years, there has been a trend towards operating businesses through companies, causing many to look at ways to cost effectively restructure.

Our panel will take you through real-life examples of restructuring where exemptions have been successfully applied.

This session, valuable to even the most senior of practitioners, will consider:

- benefits and taxation implications of restructuring
- stamp duty implications and exemptions
- transfer of business assets and rollover options
- tips for rollover agreements

Panellists:

Lloyd Stanger, Director, McKays Solicitors

Elizabeth Allen, Special Counsel, Macpherson Kelley

Chair:

Matthew Hudson, Associate Director, SV Partners

61 min



Dispute resolution revised

Commercial lawyers begin with the 'end in mind' when drafting documents, often catering for dispute resolution processes. Practitioners also find themselves involved at the start of a dispute, having to dabble in advising on matters, making 'formal' offers and reaching settlements.

This session will cover considerations when drafting dispute resolution clauses, including:

- mediation vs arbitration vs expert determination
- how to proceed if the parties cannot agree on the appointment of the independent person
- formal offers
- key principles and considerations for drafting Deeds of Settlement in commercial disputes

Presenters:

Matthew Williams, Barrister, Queensland Bar

Suzanne Brown, Director and Principal Solicitor, McKays Solicitors; Accredited Specialist (Business Law) – Qld

Chair:

Natasha Milne, Managing Director, Forensic & Litigation Consulting, FTI Consulting



SYMPOSIUM

Chaired by Track Partner FTI Consulting

