

CPD PROGRAM

APRIL - MAY 2017

You are invited to join the Thomson Geer team at our internal Continuing Professional Development (CPD) sessions.

Our CPD program provides the opportunity for legal professionals to complete the mandatory requirements for maintenance of a legal practising certificate within the CPD year. All sessions are held at our offices, speakers present locally or nationally via video conference. There is no charge for attendance at our sessions.

To register your attendance, please contact Sarah Bishop, sbishop@tglaw.com.au or +61 3 8080 3777, advising which session/s you would like to attend and in which office you will be attending.

If you would like to discuss any aspect of our service, please contact our Chief Executive Partner, Adrian Tembel, atembel@tglaw.com.au | T +61 3 8080 3703 or me.

I look forward to seeing you at our CPD sessions.



Loretta Reynolds | Partner, Markets
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RECENT CASES, AND CURRENT TOPICS OF INTEREST, IN PROPERTY LAW

WEDNESDAY, 19 APRIL 2017

4:30pm - 5:30pm Sydney/Melbourne/Brisbane | 4:00pm - 5:00pm Adelaide

Presented from: Sydney, Melbourne and Brisbane

This session will include a discussion of current issues and recent cases, including:

- *Ainsworth v Albrecht* – The most Expensive Balcony in Queensland? (Oct 2016 High Court decision)
- *Vikpro v Wyuna Court* – Land Tax Recovery in commercial leases (September 2016 Qld Court of Appeal decision)
- How far does the retail leasing legislation reach? You may be surprised! - A recent decision of the Victorian Supreme Court on appeal from VCAT.
- FIRB and the Treasurer's discretion - can foreigners really buy and lease Australian real estate?

This presentation is suitable for lawyers and in-house counsel practising in or exposed to real estate development, leasing (both commercial and retail) and those lawyers interested in property law.

Presenters:



Melinda Graham
Partner



Chris O'Shea
Partner



Vicki Sharp
Partner

1
CPD unit
Substantive
Law

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TRENDS IN M&A

WEDNESDAY, 3 MAY 2017

4:30pm - 5:30pm Sydney/Melbourne/Brisbane | 4:00pm - 5:00pm Adelaide

Presented from: Melbourne

Adam will provide an overview of recent trends in M&A. The presentation will cover recent analysis of levels of activity, some recent market observations, and deal trends and benchmarks that Thomson Geer's M&A team is seeing.

This presentation would be suitable for all commercial lawyers and for those lawyers interested in transactional law.

1
CPD unit
Substantive
Law

Presenter:



Adam Brooks
Partner

TIPS AND TRICKS FOR AVOIDING COMMON ERRORS IN DRAFTING UNCOMMON AGREEMENTS

TUESDAY, 9 MAY 2017

1:00pm - 2:00pm Sydney/Melbourne/Brisbane | 12:30pm - 1:30pm Adelaide

Presented from: Sydney

In this session we will cover the drafting, legal and business skills required for preparing agreements. This will include how to avoid ambiguity, using term sheets wisely, creating a good first draft for review and common grammatical errors to watch out for.

This seminar is suitable for any lawyers interested in a discussion about the communication process central to the job of drafting a record of agreement in unique situations.

1
CPD unit
Professional
Skills

Presenter:



Dianne Beer
Special Counsel

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COMPETITION LAW UPDATE

THURSDAY, 11 MAY 2017

1:00pm - 2:00pm Sydney/Melbourne/Brisbane | 12:30pm - 1:30pm Adelaide

Presented from: Adelaide

There have been some significant developments in competition law in the past few months, with more on the way in 2017. This presentation will overview some key developments, including:

- Implications of the High Court's decision in *ACCC -v- Flight Centre*
- The status of business-to-business unconscionable conduct in Australia following the Federal Court's decision in *ACCC -v- Woolworths*
- The new test for misuse of market power following the passage of the Misuse of Market Power Act
- The new Act implementing changes recommended in the Competition Policy Review, affecting merger regulation, resale price maintenance and exclusivity arrangements
- Implications of the proposed removal of the current intellectual property exemption from competition laws
- Likely outcomes of the Australian Consumer Law Review

This presentation is suitable for lawyers in all jurisdictions, and will be of particular relevance to those dealing with supply or distribution arrangements (whether as a customer or supplier).

Presenter:



Josh Simons
Partner

1
CPD unit
Substantive
Law

THE NEW NOTIFIABLE DATA BREACHES BILL

PRIVACY AWARENESS WEEK BRIEFING

MONDAY, 15 MAY 2017

1:00pm - 2:00pm Sydney/Melbourne/Brisbane | 12:30pm - 1:30pm Adelaide

Presented from: Adelaide

On 13 February 2017 the Federal Parliament enacted the *Privacy Amendment (Notifiable Data Breaches) Act 2017*, inserting mandatory data breach notification requirements into the Privacy Act 1988.

The new laws will commence within the next 12 months. Organisations will soon be legally obliged to disclose data breaches to the Privacy Commissioner and affected individuals. The notification scheme is connected to the existing enforcement framework under the Privacy Act, which means that the Privacy Commissioner's existing investigatory powers apply and noncompliance can result in directions to remedy or court-imposed civil penalties of up to \$1.8 million.

In this seminar, we discuss the effect of the new laws and the steps that affected businesses should take now to minimise risk.

Presenters:



Josh Simons
Partner



Bronwyn Furse
Senior Associate

1
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Substantive
Law

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APRIL - MAY 2017

WHEN IS AN ORGANISATION LIABLE FOR THE CRIMINAL ACTS OF ITS EMPLOYEES? DEVELOPMENTS IN VICARIOUS LIABILITY

TUESDAY, 23 MAY 2017

9:00am - 10:00am Sydney/Melbourne/Brisbane | 8:30am - 9:30am Adelaide

Presented from: Sydney

You may be surprised to know that despite having done nothing wrong itself, an organisation may still be liable for its employees' unauthorised or criminal conduct where that conduct occurs in the course of their employment.

By reference to the recent High Court decision in *Prince Alfred College Incorporated v ADC*, this presentation will cover:

- common law vicarious liability first principles;
- what conduct is considered to be 'in the course of employment';
- the implications of the decision in *Prince Alfred College*, and moving forward; and
- how organisations can avoid being found liable for an employee's misconduct.

Presenter:



Catherine Rosero
Senior Associate

1
CPD unit
Substantive
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CPD Mandatory Requirements - 10 CPD units

New South Wales

Min. 1 unit in each core category:

- Ethics and Professional Responsibility;
- Practice Management and Business Skills;
- Professional Skills; and
- Substantive Law.

Victoria

Min. 1 unit in each core category:

- Ethics and Professional Responsibility;
- Practice Management and Business Skills;
- Professional Skills; and
- Substantive Law.

Queensland

Min. 1 unit in each core category:

- Practical Legal Ethics;
- Practice Management and Business Skills; and
- Professional Skills.

Accredited specialists required to complete 15 units (minimum of 10 units at an advanced/specialist level in area of specialisation, and at least 3 in the core areas).

South Australia

Min. 1 unit in each core category:

- Practical Legal Ethics;
- Practice Management or Business Skills; and
- Professional Skills.