Ross Parsons Centre of Commercial, Corporate and Taxation Law

Annual Report

Sydney Law School
University of Sydney

2008
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1. Objectives & Activities

The objectives of the Ross Parsons Centre of Commercial, Corporate and Taxation Law are to undertake, promote and support innovative and important scholarship, including teaching, research, consultancy and advocacy in all areas of commercial, corporate and taxation law. These objectives include work both within the University of Sydney, with other Centres in Australia and overseas, with the legal profession more generally, and with the wider community both in Australia and internationally. The Centre’s activities include:

- Supporting, developing and facilitating the teaching of units in both undergraduate and postgraduate courses of study in the areas of commercial, corporate and taxation law within the Faculty;
- Sponsoring and conducting conferences, seminars, workshops, lectures and other similar activities;
- Facilitating visits of distinguished scholars from Australia and overseas;
- Supporting high quality postgraduate study in the field, including the Master of Laws, Masters of Taxation, Master of International Taxation, Master of Business Law and related Diplomas, and supervising postgraduate research by thesis or dissertation;
- Advising upon and contributing to the development of the undergraduate curriculum in commercial, corporate and taxation law at the University of Sydney;
- Engaging in research and inquiry into the impact of commercial, corporate and taxation law on Australia, the Asia Pacific, and the international community, and engaging in that research with other scholars, bodies and groups from outside of the Faculty of Law and the University of Sydney;
- Undertaking a range of external advice, opinion work, consultancies and projects, including some on a pro bono basis, in the areas of commercial, corporate and taxation law within Australia, the Asia Pacific, and other parts of the world, where it is impracticable or impossible to engage in such projects as Faculty of Law projects;
- Fostering collaborative links with institutions and with fields related to commercial, corporate and taxation law that could not otherwise be developed within the Faculty of Law;
- Facilitating the publication of papers, reports and other works and supporting other means of dissemination of scholarly publications by use of a distinct marketable and high profile brand name, being the name of the Centre;
- Supporting the activities, and collaborating with professional associations and societies engaged in promoting commercial, corporate and taxation law;
- Doing all such other things as are incidental or conducive to the attainment of the above objectives or any of them.
2. Structure of the Centre

Centre Members

Directors
Professor Richard Vann (Director, Taxation Law)
Professor Jennifer Hill (Director, Commercial and Corporate Law)

Commercial and Corporate Law
Vivienne Bath
Dr Fiona Burns
Dr Simon Butt
Professor John Carter
Wayne Courtney
Saul Fridman
James Glister
Professor Jennifer Hill
Dr Fleur Johns
Miiko Kumar
Patricia Lane
Associate Professor Patricia Loughlan
Professor Roger Magnusson
Associate Professor Barbara McDonald
Dr Jacqueline Mowbray
Associate Professor Luke Nottage
Fady Aoun
Professor Elisabeth Peden
Dr David Rolph
Associate Professor Gregory Tolhurst
Andrew Tuch
Dr Brett Williams

**Taxation Law**
Professor Patricia Apps
Nicholas Augustinos
Celeste Black
Chloe Burnett
Professor Graeme Cooper
Professor Lee Burns
Associate Professor Rebecca Millar
Professor Richard Vann

**Adjunct Faculty**

**Commercial and Corporate Law**
The Hon. Justice R P Austin, Challis Lecturer in Corporate Law
Emeritus Professor Peter Butt
Mark Leeming, Challis Lecturer in Equity

Andrew Bell SC, Adjunct Professor
Ashley Black, Adjunct Professor
Deborah DeMott, Adjunct Professor
Michael Furmston, Adjunct Professor
Justin Hogan-Doran, Adjunct Lecturer
Braddon Jolley, Adjunct Lecturer
The Hon. Justice Kevin Lindgren, Adjunct Professor
Kevin Lewis, Adjunct Lecturer
Rebecca Maslen-Stannage, Adjunct Lecturer
Zeke Solomon, Adjunct Professor
James Watson, Adjunct Lecturer
David Yates, Adjunct Professor

**Taxation Law**
Alan Bennett, Adjunct Professor
Cynthia Coleman, Adjunct Professor
Malcolm Gammie QC, Adjunct Professor
Paul O'Donnell, Adjunct Professor
Karen Rooke, Adjunct Professor

**Associates**

**Commercial and Corporate Law**
Michael Ahrens, Transparency International Australia (TI)
Associate Professor Lee Aitken, University of Hong Kong
Tim Bednall, Mallesons Stephen Jaques
Tony Berriman, Minter Ellison
Gary Besson, Gilbert & Tobin
Alan Cameron AM, Blake Dawson and Deputy Chancellor of University of Sydney
Phillip Cornwell, Allens Arthur Robinson
John Currie, Henry Davis York
Tony Damian, Freehills
Nuncio D’Angelo, Mallesons Stephen Jaques
Roger Dobson, Henry Davis York
David East, DLA Phillips Fox
David Eliakim, Mallesons Stephen Jaques
Brent Fisse, Brent Fisse Lawyers
Angela Flannery, Clayton Utz
David Friedlander, Mallesons Stephen Jaques
Greg Golding, Mallesons Stephen Jaques
Susan Hilliard, Mallesons Stephen Jaques
Noel Hutley SC, St James Chambers
John Kluver, Corporations & Markets Advisory Committee
Bill Koeck, Blake Dawson
Byron Koster, Corrs Chambers Westgarth
Tom Lennox, Allco Finance Group
Patrick Lowden, Freehills
Diccon Loxton, Allens Arthur Robinson
Andrew Lumsden, Corrs Chambers Westgarth
Ray Mainsbridge, Blake Dawson
James Marshall, Blake Dawson
David Mason, Blake Dawson
Mitchell Mathas, Deacons
Anne McNaughton, Australian National University
John Natal, Freehills
Leighton O’Brien, Allens Arthur Robinson
James Phillips, Minter Ellison
Donald Robertson, Freehills
Lachlan Roots, Freehills
Tony Ryan, Blake Dawson
Brian Salter, Clayton Utz
Dennis Scott SC, Blake Dawson
Warren Scott, Citigroup
Adam Stapledon, Freehills
Patrick St John, Freehills
Philippa Stone, Freehills
Tom Story, Allens Arthur Robinson
Mark Wormell, Allens Arthur Robinson

Taxation Law
Shayne Carter, Greenwoods & Freehills
Tony Frost, Greenwoods & Freehills
Richard Giannone, Freehills
Peter Green, Mallesons
Roger Hamilton SC, Wentworth Chambers
Melissa Heath, Ernst & Young
Management Committee
The Management Committee oversees the day to day running of the Centre which includes the administrative, research and teaching activities. The Management Committee is comprised of the Chair, Director of Taxation Law and Director of Commercial and Corporate Law, the Administrator and other key teaching and research members of the Centre. The Management Committee meet approximately 4-5 times throughout the year.
3. Directors’ Report

2008 has been another eventful year for the Ross Parsons Centre of Commercial, Corporate and Taxation Law with the publication of two monographs, the annual Ross Parsons Address, the launch of a new and improved website, a successful series of seminars and conferences and a number of distinguished international academics visiting the Centre. 2009 will begin a new chapter for the Ross Parsons Centre and the Sydney Law School as we move to the new Law Building at the main University of Sydney campus at Camperdown.

The Centre had a busy year with a number of high profile events taking place including the annual Ross Parsons Address by Professor John C. Coffee, Adolf A Berle Professor of Law, Columbia Law School. Professor Coffee's Address was titled Financial Crises 101: What Can We Learn From Scandals and Meltdowns - From Enron to Subprime. The Address was given as the keynote lecture of the Third Annual Supreme Court and Law Society of New South Wales Conference on Corporate Law on The Credit Crunch and the Law. For the first time, the address was recorded as a podcast and can be downloaded from the Sydney Law School website. Other highlights of our events during 2008 can be found in the Seminars and Events section in this report.

Two monographs were published this year, Commercial Issues in Contract Law and The Credit Crunch and the Law. Both monographs were the result of successful conferences. The latter has been extremely popular due to recent events in global financial markets. A number of books have also been written or co-edited by members of the Ross Parsons Centre including the following, Reputation, Celebrity and Defamation Law by David Rolph; Restitution Law in Australia, 2nd edition, (ed) John Carter; Sports Law, (eds) S Fridman et al, Corporate Governance in the 21st Century: Japan’s Gradual Transformation, (eds) Luke Nottage et al and Executing an Income Tax, (ed) Graeme Cooper. A complete list of publications by members of the Ross Parsons Centre can be found in the Publications section.

The Centre launched a new and improved website in 2008. The new website has up-to-date information and news about Centre members, events and conferences, the monograph series and other publications and courses offered in the commercial, corporate and taxation law area. The new website address is http://www.law.usyd.edu.au/parsons/
The Centre once again attracted a number of distinguished international academics to the Sydney Law School in 2008. Professor David McLauchlan from the Victoria University of Wellington was the McWilliam Visiting Professor in Commercial Law. We also welcomed three international tax academics who were sponsored by Greenwood and Freehills. Professor Brian Arnald from Goodmans LLP (Toronto), Malcolm Gammie, QC from the United Kingdom and Professor David Rosenbloom from New York University.

At the start of 2009 the Law School moved to the new Law building on the main University of Sydney campus in Camperdown. There will be a series of events to celebrate the move including an official Open Day on 30 April 2009. Further details can be found on our website: http://www.law.usyd.edu.au/parsons/events/index.shtml

Jennifer Hill
Richard Vann
4. Activities of the Centre

Research
(Projects and Grants received)

Members of the Ross Parsons Centre received funding for the following research projects in 2008 or were continuing work on these projects during 2008.

Project title:  *A Lifecycle Approach to Labour Supply, Human Capital Accumulation and Public Policy*
Researchers:  *Apps, P, Rees, R & Walker, I*
Grant type:  ARC Discovery
Duration:  January 2008-December 2010
Funding:  $207,938

Researchers:  *Black, C*
Grant type:  USyd Research & Development Grant Scheme
Duration:  January 2007-December 2008
Funding:  $10,000

Project title:  *Implied and Prescriptive Easements, and Title by Registration Systems*
Researchers:  *Burns, F*
Grant type:  Legal Scholarship Support Fund
Duration:  November 2007-April 2009
Funding:  $3,000

Project title:  *Safeguarding the Domestic Tax Base in a World without Investment Borders*
Researchers:  *Burns, L & Krever, R*
Grant type:  ARC Discovery
Duration:  January 2007-December 2009
Funding:  $120,000

Project title:  *Strengthening Extractive Industry Governance in Eastern and Southern Africa*
Researchers:  *Burns, L*
Grant type:  AusAID - Australia Africa Fellowships
Duration:  June 2008-October 2008
Funding:  $176,106

Project title:  *Tax Administration Capacity Building*
Researchers:  *Burns, L*
Grant type:  AusAID - Australian Leadership Awards - Fellowships
Duration:  February 2008-May 2008
Funding:  $31,335

Project title:  *Contracting Out Public Service: The Search for Suitable Mechanisms*
Researchers:  *Fridman, S*
Grant type:  Legal Scholarship Support Fund
Duration:  November 2007-April 2009
Funding:  $5,000
Project title: The Subversion of Contemporary Performance-Based Pay: A Comparative Australian-US Study
Researchers: Hill, J, Thomas, R & Masulis, R
Grant type: ARC Discovery
Duration: January 2006-December 2008
Funding: $210,000

Project title: Power and Rule in the Mekong Basin: The Dynamics of 'Hard' and 'Soft' Law in International Watercourse Governance
Researchers: Johns, F
Grant type: Legal Scholarship Support Fund
Duration: January 2008-July 2009
Funding: $3,219

Project title: 21st Century Challenges in Evidence Law: International and Comparative Perspectives
Researchers: Kumar, M
Grant type: Conference Seeding Grant
Duration: May 2008-December 2009
Funding: $10,000

Project title: Teaching Torts in an Age of Statutes
Researchers: McDonald, B & Rolph, D
Grant type: Conference Seeding Grant
Duration: January 2008-December 2008
Funding: $5,000

Project title: Law and Celebrity - A Comparative Study
Researchers: McDonald, B, Loughlan, P & Rolph, D
Grant type: Legal Scholarship Support Fund
Duration: January 2008-July 2009
Funding: $5,000

Project title: GST and the Global Economy: Identifying the Underlying Causes of Consumption Tax Conflicts Affecting Cross-border Trade
Researchers: Millar, R
Grant type: ARC Discovery
Duration: January 2006-December 2008
Funding: $140,000

Project title: Re-regulating Common Risks in Japan: Product Safety, Consumer Credit, and Corporate Governance
Researchers: Nottage, L
Grant type: Legal Scholarship Support Fund
Duration: January 2008-July 2009
Funding: $5,000

Project title: Re-regulating Consumer Credit: Australia, Japan and Beyond
Researchers: Nottage, L
Grant type: Legal Scholarship Support Fund
Duration: June 2007-November 2008
Funding: $5,000
Project title: *Reforming Tort Law and Regulation in Australia: Holistic and Comparative Perspectives on Consumer Product Safety*
Researchers: **Nottage, L**
Grant type: Legal Scholarship Support Fund
Duration: October 2006-April 2008
Funding: $5,000

Project title: *Principles of Contract Construction and the Role of Good Faith in Contractual Pre-emptive Rights*
Researchers: **Peden, E**
Grant type: Faculty R & D Scheme
Duration: January 2008-December 2008
Funding: $12,500

Project title: *The Concept of Reputation in Defamation Law*
Researchers: **Rolph, D**
Grant type: Legal Scholarship Support Fund
Duration: January 2007-June 2008
Funding: $5,000

Project title: *The Operation and Efficacy of Contractual Pre-emptive Rights*
Researchers: **Tolhurst, G**
Grant type: Faculty R & D Scheme
Duration: January 2008-December 2008
Funding: $12,500

Project title: *Enhancing Teaching of Economics of Competition for UG LAWS3016 Competition Law*
Researchers: **Williams, B**
Grant type: Teaching Improvement and Equipment Scheme
Duration: January-December 2008
Funding: $5,000

Project title: *What do the 1995-2008 World Trade Organization ('WTO') Disputes on the Rules Applying to Agricultural Trade indicate about the Adequacy of the 1995 Reforms and the Trajectory of Further Reform?*
Researchers: **Williams, B**
Grant type: Legal Scholarship Support Fund
Duration: January 2008-July 2009
Funding: $5,000
Teaching (Undergraduate, Postgraduate and Research)

Undergraduate

Commercial and Corporate Law
LAWS3007 Advanced Contracts
LAWS3008 Advanced Corporate Law
LAWS3016 Competition Law
LAWS1015 Contracts
LAWS3108 Corporate and Securities Regulation
LAWS2003 Corporate Law
LAWS2014 Corporations Law
LAWS3033 Intellectual Property
LAWS3072 International Commercial Transactions
LAWS2012 Introduction to Property and Commercial Law
LAWS3064 Law and Commercial Transactions
LAWS3036 Law and Economics

Taxation Law
LAWS3013 Business Taxation
LAWS3047 Personal Taxation

Postgraduate

Commercial and Corporate Law
LAWS6014 Advanced Financing Techniques
LAWS6905 Aspects of European Union Commercial Law
LAWS6247 Australian Financial Services Regulation
LAWS6809 Breach of Contract
LAWS6838 Competition Law
LAWS6264 Compliance: Theory & Practice in the Financial Services Industry
LAWS6851 Construction Law
LAWS6872 Contract Negotiation
LAWS6874 Contractual Damages
LAWS6250 Controlling Liability by Contract
LAWS6100 Corporate Fundraising
LAWS6037 Customs Law
LAWS6038 Debt Financing
LAWS6852 Doing Business in China
LAWS6046 Equity Financing
LAWS6912 Fundamentals of the Law of Trusts
LAWS6159 Insolvency Law
LAWS6251 Issues in Electronic Commerce
LAWS6059 International Business Law
LAWS6060 International Commercial Arbitration
LAWS6904 International Securitisation Law & Practice
LAWS6903 Interpreting Commercial Contracts
LAWS6810 Introductory Corporate Law
LAWS6817 Practical Legal Effects of the Interaction of Tort and Contract
LAWS6890 Principles of Defamation Law
LAWS6008 Takeovers and Reconstructions

**Taxation Law**
LAWS6870 Advanced Customs Law
LAWS6209 Australian International Taxation
LAWS6153 Comparative Corporate Taxation
LAWS6170 Comparative Income Taxation
LAWS6128 Comparative International Taxation
LAWS6906 Comparative Taxation of Financial Transactions
LAWS6814 Comparative Value Added Taxation
LAWS6030 Corporate Taxation
LAWS6037 Customs Law
LAWS6825 Impact of Taxation on Business Structures and Operations
LAWS6214 Goods & Services Taxation Principles
LAWS6891 GST – International Issues
LAWS6007 NZ International Taxation
LAWS6908 Recent Developments in EC Income Taxation Law
LAWS6124 Stamp Duties
LAWS6112 Taxation Administration
LAWS6107 Taxation Litigation
LAWS6840 Taxation of Business & Investment Income A
LAWS6841 Taxation of Business & Investment Income B
LAWS6129 Taxation of CFC’s, FIF’s and Transferor Trusts
LAWS6244 Taxation of Corporate Groups
LAWS6125 Taxation of Financial Transactions
LAWS6892 Taxation of Mergers and Acquisitions
LAWS6118 Taxation of Partnerships & Trusts
LAWS6127 Taxation of Superannuation & Life Insurance
LAWS6177 Tax Treaties
LAWS6200 Tax Law in Asia and the Pacific
LAWS6123 Transfer Pricing in International Taxation
LAWS6109 UK International Taxation
LAWS6171 US International Taxation

**Research Students**

Listed below are current Research students who are being supervised by a member from the Ross Parsons Centre.

**Doctor of Philosophy (PhD)**

Student: **Fady Aoun**
PhD title: *Look Not Lest Ye Be Offended - Jesus™, Redskins®, and Black Tail®: An Analysis of the Law relating to Offensive and Scandalous Trade Marks*
Supervisors: Loughlan, P & Rolph, D
Student: **Robert Davis**  
PhD title: *The Law and Econom(etr)ics of Corruption*  
Supervisors: Hill, J & Findlay, M

Student: **Quan Jin**  
PhD title: *Chinese People's Mediation Urban Community - Culture, Variance and Development*  
Supervisors: Astor, H & Nottage, L

Student: **Thomas Lennox**  
PhD title: *How Legal Structures Affect Value - Comparison of the Corporate Vehicle with pass through Vehicles*  
Supervisors: Hill, J & Vann, R

Student: **Stefan Lo**  
PhD title: *Corporate Law and Liabilities of the Corporation and Corporate Controllers*  
Supervisor: Hill, J & Fisse, B

Student: **Lin Lu**  
PhD title: *Film Censorship in the Digital Era*  
Supervisor: Karpin, I & Rolph, D

Student: **Bryan O'Connor**  
PhD title: *The Economic and Law Aspects of the Commonwealth Government's "Safety Net" Changes to Health Policy*  
Supervisors: Apps, P & Burns, L

Student: **John Taylor**  
PhD title: *The Development of Australian Double Tax Treaty Policy and Practice*  
Supervisors: Vann, R & Burns, L

Student: **Antony Ting**  
PhD title: *Taxation of Corporate Groups under Enterprise Doctrine: An International Comparative Study of Consolidation Regimes*  
Supervisors: Vann, R & Cooper, G

Student: **James Watson**  
PhD title: *The Equitable Remedy of Account*  
Supervisor: Peden, E

Student: **Weihuan, Zhou**  
PhD title: *De Facto Discrimination under the Jurisprudence of the World Trade Organisation: The Search for Flexible and Predictable Interpretation under the Non-Discrimination Rules*  
Supervisor: Triggs, G & Williams, B

**Master of Laws (LLM) by Research**

Student: **Wayne Courtney**  
LLM title: *Indemnities in Commercial Contracts*  
Supervisors: Carter, J & Tolhurst, G
Student: **Miiko Kumar**
LLM title: *Can Complaint Evidence be used to prove its Truth? An Analysis of Credibility and Hearsay Evidence in Rape Trials*
Supervisors: Savell, K & Peden, E

Student: **Donald Marshall**
LLM title: *Civil Liability in the Area of Assisted Reproductive Technology*
Supervisor: Magnusson, R

Student: **Christopher Sexton**
LLM title: *Biogenetics and Intellectual Property Law - A Pathway to the Future?*
Supervisor: Loughlan, P & Rolph, D
Seminars and Conferences

20 February 2008
Seminar - Government Proposals on Criminalisation of Cartel Behaviour
Guest Speakers: Brent Fisse, Brent Fisse Lawyers and Caron Beaton-Wells, University of Melbourne

26 February 2008
Seminar - On the Importance of Property Rights in Intangibles like IP to Access, Competition and Economic Development (Convened in conjunction with Australia New Zealand Law and Economics Association)
Guest Speaker: Professor F. Scott Kieff, Washington University and Research Fellow, Hoover Institution at Stanford University

12 June 2008
Seminar - Taking your beefs to the WTO: the continuing hormones dispute and issues in WTO dispute settlement
Guest Speaker: Victoria Donaldson, Institute of International Trade, University of Adelaide

24 June 2008
Seminar - Who Can You Trust? Dating Games in the US Executive Suite
Guest Speaker: Professor Cindy Schipani, Merwin H. Waterman Collegiate Professor of Business Administration, University of Michigan

25 June 2008
Seminar - The UNIDROIT Principles of International Commercial Contracts: What Do They Mean for Australia?
Guest Speaker: Professor M J Bonell, University of Rome

28 July 2008
Seminar - News Corp’s Exodus to Delaware: Lessons for US and Australian Corporate Lawyers
Speaker: Professor Jennifer Hill

1 August 2008
Conference - Commercial Practice in a Global Economy
Speakers: Vivienne Bath, Associate Professor Rebecca Millar and Dr Brett Williams

11 August 2008
Seminar - Interpreting Commercial Contracts
Guest Speakers: Associate Professor Gregory Tolhurst and Professor David McLauchlan, Victoria University Wellington and McWilliam Visiting Chair in Commercial Law at Sydney Law School
20 August 2008
Conference - **Ross Parsons Address in Commercial, Corporate and Taxation Law**

Financial Crises 101: What Can We Learn From Scandals and Meltdowns - From Enron to Subprime?

Guest Speaker: Professor John C. Coffee, Adolf A Berle Professor of Law, Columbia Law School

The keynote lecture of the Third Annual Supreme Court and Law Society of New South Wales Conference on Corporate Law: *The Credit Crunch and the Law*

Professor Coffee is one of the leading international experts in corporations law, securities regulation and finance. He is the Adolf A Berle Professor of Law at Columbia University Law School, a Fellow at the American Academy of Arts and Sciences, and is consistently listed by the *National Law Journal* as one of the 100 most influential lawyers in the United States. He has recently given testimony on several occasions before the US Senate Banking Committee in relation to the subprime mortgage crisis. This was Professor Coffee's fourth visit to Sydney Law School. The address was recorded as a podcast, the first for the Sydney Law School and can be downloaded from the Sydney Law School website: [http://www.usyd.edu.au/news/law/436.html?newscategoryid=67&newsstoryid=2521](http://www.usyd.edu.au/news/law/436.html?newscategoryid=67&newsstoryid=2521)

28 August 2008
Seminar - **Fiduciary Regulation of Conflicts between Multiple Duties**

Guest Speaker: Dr Matthew Conaglen, University of Cambridge

30 October 2008
Conference - **Annual International Tax Seminar: Global Tax Reforms**

Sydney Law School

Guest Speakers: Professor Brian Arnold, Goodmans LLP, Toronto, Canada
Professor Lee Burns, Sydney Law School
Carmel Peters, Inland Revenue Department, New Zealand
Ariane Pickering, Principal Advisor Treaties, Treasury
30 October 2008
Book Launch - The Credit Crunch and the Law, (ed) Justice RP Austin
Guest Speaker: Professor Don Harding, Freehills

7 November 2008
Book Launch - Reputation, Celebrity and Defamation Law by Dr David Rolph
Guest Speaker: Richard Ackland, the Editor/Publisher of The Justinian and the Gazette of Law and Journalism

4 December 2008
Seminar - The German Model of Workers’ Co-Determination in the Board of Directors: Would it Work in Australia?
Chair: Professor Jennifer Hill
Guest Speaker: Professor Peter Kindler, University of Augsburg
Commentator: Professor Joellen Riley, UNSW
International Visitors

The Ross Parsons Centre has many international visitors throughout the academic year, ranging from distinguished international experts who contribute to the teaching of postgraduate programs to international academics visiting Australia to undertake research. The specialist Tax firm, Greenwoods and Freehills also sponsor international Tax specialists to visit Sydney Law School. Each year a distinguished academic in commercial law is invited to visit the Sydney Law School as the McWilliam Visiting Professor in Commercial Law. Below is list of our International Visitors during 2008.

Greenwoods and Freehills Visitors in 2008
For many years specialist tax advisory firm Greenwoods & Freehills Pty Limited (G&F) has supported Sydney Law School in bringing internationally renowned tax experts to Sydney to teach in the postgraduate tax program. Greenwood & Freehills also supports the Jeff Sharp Prize in Taxation Research. The Greenwoods and Freehill visitors for 2008 were:

- Mr Malcom Gammie QC, Chambers of Lord Grabiner QC
- Professor David Rosenbloom, New York University
- Professor Brian Arnold, Goodmans LLP, Toronto

McWilliam Visiting Chair in Commercial Law
The McWilliam Visiting Chair in Commercial Law was Professor David McLauchlan, Victoria University of Wellington. Professor McLauchlan presented a seminar titled Interpreting Commercial Contracts during his visit.

Other Visitors to the Ross Parsons Centre in 2008 were:
- Mr Christophe Waerzeggers, Utrecht University
- Professor Donald Arnavas, Pennsylvania State University
- Professor Cindy Schipani, University of Michigan
- Professor Iain Ramsay, University of Kent
- Jan Job de Vries Robbé, Dutch Development Bank FMO
- Dr Peter Harris, University of Cambridge
- Professor David Yates, University of Cambridge
- Professor Michael Furmston, Singapore Management University
- Professor Frans Vanistendael, Catholic University Leuven
- Victoria Donaldson, University of Adelaide
- Professor Michael Bonell, University of Rome
- Associate Professor Lee Aitken, Hong Kong University
- Dr Matthew Conaglen, University of Cambridge
- Mr Casey Plunkett, Chapman Tripp, Auckland
- Professor Peter Kindler, University of Augsburg
Media
Staff from the Ross Parsons Centre is often called on by the media to provide comment and opinion, and are widely recognised as experts in their field. Below are some of the media appearances of our staff during 2008.

20 April 2008
ABC Radio
PM
Professor Patricia Apps appeared on ABC Radio program, PM following her attendance at the 2020 Summit in Canberra.

2 May 2008
UniNews - “Wartime tragedy brings a $4 million windfall”.
Fiona Burns contributed to an article in UniNews (Volume 40, Number 5).

7 May 2008
ABC Online - Unleashed
Miiko Kumar contributed an article to Unleashed (ABC online) in relation to findings by the New South Wales Law Reform Commission that victims of rape are cross examined for a longer period of time than victims of other types of assault.

21 June 2008
Weekend Australian - “When the pain is too much, pray he’s out there”
Associate Professor Roger Magnusson contributed a Book Review for A Good Death: An Argument for Voluntary Euthanasia, by Rodney Syme to the Weekend Australian.

2 September 2008
ABC Radio - The Law Report
Associate Professor Barbara McDonald contributed to the ABC Radio program, The Law Report in regard the High Court decision in Imbree v McNielly in which the High Court overturned the decision of Cook v Cook (1986).

11 October 2008
Sydney Morning Herald - “Rewriting the rules of the market game”
An article about The Credit Crunch and the Law, a monograph which was published by the Ross Parsons Centre on 21 October 2008.

24 November 2008
The Australian Financial Review - “Changes allay most cartel code fears”
Brent Fisse, an Associate of the Ross Parsons Centre is featured in an article in the Australian Financial Review in regard to new legislation to criminalise cartel behaviour which would make existing franchise and supply arrangements cartel behaviour under the original draft laws.

5 December 2008
UniNews - “Those multi-million dollar bonuses and the credit crunch”
An extract from The Credit Crunch and the Law appeared in UniNews (Volume 40, Number 16).
5. Publications

2008 Monographs

The Ross Parsons Centre of Commercial, Corporate and Taxation Law published 2 monographs in 2008 as part of its Monograph Series. Further information regarding these monographs is outlined below:

**Commercial Issues in Contract Law**
Editors: Associate Professor Gregory Tolhurst and Professor Elisabeth Peden
Published 2008

This book comprises versions of the papers presented at the New South Wales State Library on 27th July 2007 to mark the twentieth anniversary of the Commercial Law Quarterly, at a conference organised by the Commercial Law Association in conjunction with the Ross Parsons Centre of Commercial, Corporate and Taxation Law at the Sydney Law School, University of Sydney. It was sponsored by LexisNexis, the Commonwealth Bank and Freehills. The book begins with an incisive introduction and overview of the papers by Sir Anthony Mason. The papers and commentaries analyse four key aspects of commercial contracting. These include ‘Contractual Exclusions and Indemnities of Liability for Negligence’ by Barbara McDonald with commentary by Anne McNaughton, ‘Assignment of Contractual Rights: Some Reflections on Pacific Brands Sport and Leisure Pty Ltd v Underworks Pty Ltd’ by GJ Tolhurst with commentary by Mark Leeming SC, ‘Liquidated Damages’ by Elisabeth Peden with commentary by Justice Keith Mason and ‘Termination of Part of a Contract’ by JW Carter.

**The Credit Crunch and the Law**
Editor: R P Austin
Published 2008

Since June 2007, the global economy has been rocked by a credit crisis that Alan Greenspan, former chairman of the US Federal Reserve, has described as a “once-in-a-century event”, and the worst “by far” that he has witnessed. The end of the crisis is not yet in sight. How did it occur? What were the “subprime loans” in the US housing market, and why did defaults on these loans corrupt the world’s credit markets as a whole? What were the roles of asset-backed securities, collateralised debt obligations and credit default swaps? Who is responsible for the disaster? How much at fault were the mortgage originators, who were prepared to disregard prudential lending guidelines? The investment banks who were hungry to acquire the loans and repackage them in increasingly opaque security structures? The credit rating agencies, who gave these products investment-grade ratings in return for fees from the investment banks? And the investors, who gleefully put their money into products they did not understand, chasing the impossible combination of high credit rating and high interest? Can anything be done to guard against such disasters in future? In Australia, the credit crisis has generated an odd collection of legal issues. One is the difficulty of valuing investment products for which there is no longer any market. What is a board of directors to do if it simply does not know what impact market turmoil has had, or will have, on the value of the company’s assets? Then there are problems arising from the dramatic decline of the equities market during 2008, such as the escalation of price decline when directors’ shares are sold into the market to meet margin calls; and the rapid dissemination of rumours, and aggressive short selling to take advantage of those rumours.
Previous Monographs

The Ross Parsons Centre of Commercial, Corporate and Taxation Law has published a further three Monographs in the monograph series. Further information regarding these monographs is outlined below:

Schemes, Takeovers and Himalayan Peaks – The use of schemes of arrangement to effect change of control transactions
Authors: Tony Damian and Andrew Rich
Published 2004
Schemes of arrangements have been used successfully to achieve some of Australia’s largest corporate mergers, yet they remain controversial. A new book, Schemes, Takeovers and Himalayan Peaks examines each side of the debate. The book traces the legislative response to policy concerns and the numerous legal challenges to the use of schemes since they were first used in Australia in the late 1970’s. It also explores the useful roles schemes play in the modern corporate landscape and the criticisms directed at them. A number of wide-ranging reforms to the scheme procedure are also proposed. These reforms would ensure that schemes are supported appropriately and are intended to inspire amendments to the Corporations Act that would improve the Act’s ability to accommodate future merger activity in Australia.

Company Directors and Corporate Social Responsibility
UK and Australian perspectives
Editor: R P Austin
Published 2006
Corporate Social Responsibility has become one of the most important and controversial issues in current United Kingdom and Australian corporate law. In November 2006 a new Companies Act was passed by the UK Parliament. The Act, which introduced major reforms to UK companies law, includes changes to the formulation of directors’ duties which, potentially, have a significant impact on corporate social responsibility. Specifically, the new statutory provisions are based on the concept of "enlightened self-interest". This new approach in the UK will inevitably influence the future direction of the law relating to directors' duties in Australia. This book is, in part, an edited transcript of a conference held in Sydney in August 2006 by the Supreme Court of New South Wales and the Law Society of New South Wales. The conference examined the relevant provisions of the then UK Bill, with papers presented by Lady M H Arden of the Court of Appeal of England and Wales, who played an important role in preparation of the Bill, and leading Australian corporate law commentators. The papers were followed by an engaging Hypothetical chaired by Mr Alan Cameron, with contributions from other leading corporate lawyers. The book also includes a paper by Justice R P Austin assessing the relevance of the UK reforms for this country.
In the recent past we have seen an explosion of business acquisitions and proposals by private equity firms. Acquisitions by private equity globally were valued at US$800 billion in 2006, and in Australia the average deal size increased 15-fold in that year. Private equity bids for the Coles and Qantas groups, though unsuccessful, attracted particular public attention. Public criticisms about alleged lack of accountability, high gearing of acquired businesses, and a perceived threat to jobs, have generally not been supported by governmental report in several countries. In Australia the Senate Standing Committee on Economics, which reported in August 2007, concluded by majority that there was no convincing case for further regulation. Legal issues about private equity acquisitions include questions of conflicts of interest for target company executives who join the private bidding consortium in the hope of personal rewards, and issues about whether it is consistent with their fiduciary duties for the target’s directors to cooperate with the private equity bidder’s desire for an agreed acquisition. Some Australian company boards have taken contrasting approaches to the question whether to disclose to the market a private equity approach before a concrete proposal is on the table. And acute questions arise if the private equity bidder proceeds by takeover bid rather than scheme and falls short of full control. The lack of liquidity following from the crisis in global credit markets in mid-2007 has slowed down private equity activity, facilitating reflection on these important questions. They were explored at a conference held in Sydney in August 2007 under the auspices of the Supreme Court of New South Wales and the Law Society of New South Wales. This book is, in part, an edited transcript of that conference. It also contains essays by the editors on the private equity phenomenon.
Publications of Centre Members

Books


Edited Books


Chapters in Books


**Refereed Journal Articles**


Cooper, GS Australian High Court Dismisses Transfer Pricing Appeal (2008) 51 Tax Notes International 482-83.

Cooper, GS Board of Taxation Suggests Changes to CFC Regime (2008) 47 Tax Notes International 1096-1101.


Non Refereed articles including book reviews, notes and editorials


Conference papers and presentations


Bath, V, ‘Enforcement in International Business Transactions in Asia’ presented at 5th Asian Law Institute Conference, Faculty of Law, National University of Singapore, Singapore (22-23 May 2008).

Bath, V, ‘Bankruptcy and Foreign Investment Enterprises’ presented at China Enterprise Bankruptcy Law Symposium, Institute of Asian-Pacific Business Law (University of Hawaii) and Asian Institute of International Financial Law (University of Hong Kong), Hong Kong (25 March 2008).


Burns, F, ‘Easements and servitudes created by implied grant, implied reservation or prescription’, presented at Modern Studies in Property Law, Queen’s College, Cambridge, UK (1-3 April 2008).


Burns, L, ‘Renovating the Foreign Anti-Deferral Regimes – What is the State of Play?’ presented at the NSW Division of the Taxation Institute of Australia’s International Tax Masterclass, Sydney (16 September 2008).


Hill, J, ‘The US Shareholder Empowerment Debate and the Lessons of News Corp’s Move from Australia to Delaware’ presented at the National Taiwan University College of Law, Taiwan (15 December 2008).


Hill, J, 'Dialogue with the Regulators' presented at the Hong Kong Companies Registry Meeting, (23 May 2008).


Nottage, L, ‘Back to the Future for Investor-State Arbitrations’ presented at a Seminar, Sydney Centre for International Law (SCIL), The University of Sydney, (2 April 2008).


Peden, E, ‘Climate Change and Contract Law’ presented at Intersections Between Global Climate Change Law and Policy, Centre for Climate and Environmental Law (ACCEL) conference, University of Sydney, Sydney Law School, (7-8 August 2008).


Rolph, D, ‘Privacy issues for artists’, presented at the Arts Law Centre and the City of Sydney, Rex Centre, Potts Point, (3 April 2008).

Vann, R, ‘Liable to tax and company residence under tax treaties’ at Seminar on Residence of companies under tax treaties and EC law, Milan (3 November 2008).


Williams, B, ‘What do Trade Agreements Do and How Do They Work’ at the Seminar at the Crawford School of Government, Australian National University, Canberra (10 April 2008).

Williams, B, ‘How and Why the GATT Works – Or Doesn’t’ presented at a Guest Lecture to the International Trade Regulation class at the International Graduate School of Social Sciences, Yokohama National University, Japan (February 2008).


Reports, working papers and submissions


6. Statement of Financial Performance

The Ross Parson Centre of Commercial, Corporate and Taxation Law

Statement of Financial Performance for year ended 31 December 2008

<table>
<thead>
<tr>
<th></th>
<th>2008</th>
<th>2007</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INCOME</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sale of publications &amp; course notes</td>
<td>36,831</td>
<td>19,744</td>
<td>8,980</td>
</tr>
<tr>
<td>Fees Seminars /Conferences</td>
<td>0</td>
<td>10,558</td>
<td>0</td>
</tr>
<tr>
<td>Faculty Support</td>
<td>91,889</td>
<td>63,226</td>
<td>66,646</td>
</tr>
<tr>
<td>Recovery of Overheads- Sydnovate</td>
<td>0</td>
<td>-8,187</td>
<td>0</td>
</tr>
<tr>
<td>Cash Pool Interest</td>
<td>6,905</td>
<td>2,022</td>
<td>0</td>
</tr>
<tr>
<td>Other Fees &amp; Charges</td>
<td>110,061</td>
<td>212,137</td>
<td>2,250</td>
</tr>
<tr>
<td>Internal Income</td>
<td>10,304</td>
<td>10,416</td>
<td>13,934</td>
</tr>
<tr>
<td>Other Income</td>
<td>6,068</td>
<td>2,825</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Income</strong></td>
<td>262,058</td>
<td>312,740</td>
<td>91,811</td>
</tr>
</tbody>
</table>

| **EXPENDITURE**         |       |       |       |
| Salaries & associated Costs | 86,532 | 122,061 | 66,968 |
| Printing & Photocopying  | 19,431 | 6,028  | 0     |
| Travel & Conferences    | 26,801 | 11,034 | 4,360 |
| Catering & Entertainment | 16,952 | 11,557 | 1,009 |
| Plant & Equipment costs  | 510    | 0     | 620   |
| Consultant / Contractors | 0     | 0     | 2,500 |
| Teaching & Reference Materials | 17,766 | 19,163 | 10,480 |
| Other Expenses           | 1,147  | 3,817  | 11,425 |
| **Total Expenditure**    | 169,139 | 173,661 | 97,362 |

| **Surplus/(Deficit)**   | 92,920 | 139,080 | -5,552 |

Accumulated Funds as at 1 January

2008 | 2008 | 2007 |
-----|-----|-----|
| 204,103 | 105,023 | 110,575 |

Transfer to Reserves

-100,000 | -40,000 |

Accumulated Funds/(deficits)as at 31 Dec 2008

| 2008 | 2008 | 2007 |
-----|-----|-----|
| 197,022 | 204,103 | 105,023 |
7. The Ross Parsons Address in Commercial, Corporate & Taxation Law

The Ross Parsons Address in Commercial, Corporate and Taxation Law is an annual lecture where a distinguished academic in the Commercial, Corporate or Taxation Law fields is invited to present a lecture at the Sydney Law School. Further details of these lectures are listed below.

2008
The Ross Parsons Address was delivered by Professor John C. Coffee Jr, Adolf A Berle Professor of Law, Columbia University Law School. Professor Coffee's Address was titled 'Financial Crises 101: What Can We Learn From Scandals and Meltdowns - From Enron to Subprime'. The Address was given as the keynote lecture of the Third Annual Supreme Court and Law Society of New South Wales Conference on Corporate Law 2008 on The Credit Crunch and the Law. The Address was recorded as a podcast and can now be downloaded from the Sydney Law School website: http://www.usyd.edu.au/news/law/436.html?newscategoryid=67&newsstoryid=2521

Professor Coffee's lecture can also be found in the monograph - The Credit Crunch and the Law which includes all the presentations from the above conference with additional essays on the Credit Crisis.

2007
The Ross Parsons Address was delivered by Professor John Tiley, Professor of the Law of Taxation, University of Cambridge and Director of the Centre for Tax Law. The title of the address was 'Death, Taxes and Policy: Recent UK Experience'. A copy of the lecture can be downloaded from the Sydney Law School website: http://www.law.usyd.edu.au/parsons/pdfs/johntileylecture_290307.pdf

2005
The Ross Parsons Address was delivered by Professor Charles Rickett, Sir Gerard Brennan Professor of Law, University of Queensland. The title of the address was 'Liability for gains made in breach of contract'.

2004
The Ross Parsons Address was delivered by Professor Paul L. Davies, Cassel Professor of Commercial Law, London School of Economics and Political Science. The title of the address was 'Disclosure, Auditor and Executive Renumeration: A Eurocentric View'.

2003
The Ross Parsons Address was delivered by Professor H. David Rosenbloom, James S. Eustice Visiting Professor of Taxation, New York University. The title of the address was 'The characterisation of related party debt'.

2002
The Ross Parsons Address was delivered by Professor Geoffrey P. Miller, Max E. Greenberg Professor of Law, New York University. The title of the address was 'The Global Regulation of Banking and Insurance: From HIH to Enron'.

2001
The Inaugural Ross Parsons Address was delivered by Professor John Prebble, Victoria University of Wellington. The title of the address was 'Income Taxation: A Construction on Sand'.

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2004

McWilliam Visiting Chair in Commercial Law
The McWilliam Visiting Chair in Commercial Law was Professor Howard Hunter, President of Singapore Management University. Professor Hunter presented two seminars during his visit titled Contractual Good Faith and Regulating Conflicts of Interest in the Commercial World.

Greenwoods & Freehills Tax Visitors:
- Professor Brian Arnold, Goodmans LLP, Toronto
- Malcolm Gammie QC, UK
- Professor Daniel Shaviro, New York University

Other Visitors
- Professor Paul Davies, London School of Economics and Political Science
- Professor Deborah DeMott, Duke University
- Harry McVea, University of Bristol
- Professor Dan Rubinfield, University of California Berkeley
- Professor Stephen Schwarz, Duke University
- Dr Colin Scott, London School of Economics and Political Science
- Professor Lynn A. Stout, UCLA
- Professor Robert B. Thompson, Vanderbilt University
- Professor Stephen Waddams, University of Toronto

2005

McWilliam Visiting Chair in Commercial Law
The McWilliam Visiting Chair in Commercial Law was Professor Michael Furmston, University of Bristol. Professor Furmston taught two courses in Recent Developments in Contract Remedies and Construction Law during his visit.

Greenwoods & Freehills Tax Visitors:
- Professor David Rosenbloom, New York University Law School
- Professor Kees van Raad, University of Leiden, The Netherlands

Other Visitors
- Professor Charles D. Booth, University of Hong Kong
- Professor James D. Cox, Duke University
- Professor Keith Ewing, King’s College London
- Professor Robert Flannigan, University of Saskatchewan
- Dr Peter Harris, University of Cambridge
- Professor Eric Orts, University of Pennsylvania
- Professor Don Robertson, Freehills
- Miranda Stewart, University of Melbourne
- Professor Charles M Yablon, Yeshiva University
2006

McWilliam Visiting Chair in Commercial Law
The McWilliam Visiting Chair in Commercial Law was **Professor Deborah DeMott**, Duke University School of Law. Professor DeMott taught a new intensive course on The Law of Agency, building on her work as the Reporter for the American law Institute on the *Restatement (Third) of Agency Law*.

Greenwood & Freehills Tax Visitors:
- Malcolm Gammie QC, UK
- Professor David Rosenbloom, New York University

Other Visitors
- Professor Brian Arnold, Goodmans LLP, Toronto
- Dr Blanaid Clarke, University College Dublin
- Professor Nathan M. Crystal, University of South Carolina
- Edward L. Flippen, McGuire Woods LLP, Virginia
- Dr John Howe, University of Melbourne
- Professor Geoffrey P. Miller, New York University

2007

McWilliam Visiting Chair in Commercial Law
McWilliam Visiting Chair in Commercial Law was **Professor Michael Furmston**, Singapore Management University. Professor Furmston presented a seminar titled *Actual Damages, Notional Damages and Loss of Chance* during his visit.

Greenwood & Freehills Tax Visitors:
- Malcolm Gammie QC, UK
- Professor David Rosenbloom, New York University

Other Visitors
- Donald Arnavas, Pennsylvannia State University
- Dr Aishah Bidin, University Kebangsaan Malaysia
- Professor John C. Coffee Jr, Columbia University
- Professor Melvin Dubnick, University of New Hampshire
- Professor Allen Ferrell, Harvard University
- Richard Hall, Cravath, Swaine & Moore, New York
- Professor Iain McNeil, University of Glasgow
- Professor Niamh Moloney, University of Nottingham
- Professor John Prebble, Victoria University of Wellington
- Professor Eric Talley, UCLA
- Professor John Tiley, University of Cambridge

2004

12 February 2004
Seminar - Corporate Scandals and the Changing Role of the Board of Directors
Guest Speaker: Professor Robert B. Thompson, Vanderbilt University

1 April 2004
Seminar - Off-Balance Sheet Transactions Post-Enron and HIH
Guest Speaker: Professor Steven Schwarcz, Duke University

6 April 2004
Seminar – Contractual Good Faith
Chair: The Hon. Justice Kevin Lindgren, Federal Court of Australia
Guest Speakers: Professor John Carter, University of Sydney
            Professor Michael Furmston, University of Bristol
            Professor Howard Hunter, Emory University
            Dr Elisabeth Peden, University of Sydney

4 June 2004
Seminar - Regulating Conflicts of Interest in the Commercial World
Guest Speakers: Professor Deborah A. DeMott, Duke University
            Professor Howard Hunter, Emory University

17 June 2004
Conference – The NITA Bill and the Taxation of Foreign Income
Guest Speakers: James Kelly, the Treasury
            Associate Professor Lee Burns, University of Sydney
            Alf Capito, Ernst & Young
            Norah Seddon, PricewaterhouseCoopers

13 July 2004
Seminar – Liability Provisions in Contracts
Chair: Dr Greg Tolhurst, University of Sydney
Guest Speakers: Professor John Carter, University of Sydney
            Justice Keith Mason, President NSW Court of Appeal
            Professor Stephen Waddams, University of Toronto

10 August 2004
Seminar – The Shareholder as Ulysses
Guest Speaker: Professor Lynn A. Stout, UCLA School of Law

2 September 2004
Ross Parsons Address in Commercial, Corporate and Taxation Law
Annual Lecture - Disclosure, Audit and Executive Remuneration: A Eurocentric View
Guest Speaker: Professor Paul Davies, London School of Economics and Political Science
8 September 2004
Seminar – Proportionate Liability: Practical Implications of the Reforms
Guest Speakers: Associate Professor Barbara McDonald, University of Sydney
  Professor Jim Davis, Australian National University
  Peter Wood, Barrister, Sydney

9 December 2004
Seminar – The Internet as a Site of Regulatory Innovation
Guest Speaker: Colin Scott, London School of Economics and Political Science

2005

6-8 February 2005
2005 Corporate Law Teachers Association Conference
Conflicts of Interest in Contemporary Corporate Law
Keynote Speaker: Professor Charles M Yablon, Cardozo School of Law, Yeshiva University, New York

10 March 2005
Seminar - Corporate Rescue in Asia
Guest Speaker: Associate Professor Charles D. Booth, University of Hong Kong

15 June 2005
Conference – Second Annual International Tax Seminar
Guest Speakers: Professor Richard Vann, University of Sydney
  Associate Professor Lee Burns, University of Sydney
  Celeste Black, University of Sydney
  Michael Dirkis, Taxation Institute of Australia

1 July 2005
Seminar- Enforcement of US Securities Laws
Guest Speaker: Professor James D. Cox, Duke University

15 July 2005
Seminar - Comparative Corporate Governance
Guest Speaker: Professor Eric Orts, University of Pennsylvania

19 July 2005
Seminar – A Social Theory of the Business Enterprise
Guest Speaker: Professor Eric Orts, University of Pennsylvania

19 September 2005
Seminar – The Renegotiation of Contracts
Guest Speaker: Professor Michael Furmston, Singapore Management University
Commentator: Professor John Carter, University of Sydney
29 September 2005
The Ross Parsons Address in Commercial, Corporate and Taxation Law
Annual Lecture – Liability for Gains made in Breach of Contract
Guest Speaker: Professor Charles Rickett, University of Queensland

20 October 2005
Seminar – The Rise of the Listed Property Trust: An Australian Success Story
Guest Speaker: Tom Lennox, Mallesons Stephen Jaques

29 November 2005
Seminar – Removal of Directors in the Era of Performance Assessment
Guest Speaker: James McConvill, Deakin University
Commentators: Elizabeth Johnstone, Blake Dawson Waldron
Tim Bednall, Mallesons Stephen Jaques

2006

9 February 2006
Seminar – Harmonising Takeover Law in the EU-Latest developments and Practical Implications
Guest Speaker: Dr Blanaid Clarke, University College Dublin
Commentator: David Friedlander, Mallesons Stephen Jaques

1 August 2006
Discussion Forum – Investment Banking in Australia: Immediate Challenges and Future Directions
Chair: Professor Jennifer Hill, University of Sydney
Guest Speakers: Mark Grolman, Deutsche Bank Group
Peter Hunt, Caliburn Partnership
Chris Madden, UBS Australia
Kate Mills, Mallesons Stephen Jaques
Andrew Tuch, University of Sydney

24 August 2006
Seminar – International Regulation of Banks and Financial Institutions
Guest Speaker: Professor Geoffrey P. Miller, New York University

18 October 2006
Conference – Third Annual International Tax Seminar
Chair: Associate Professor Lee Burns, University of Sydney
Guest Speakers: Professor Brian Arnold, Goodmans LLP, Toronto
Alf Capito, Ernst & Young
Haydn Daw, Commonwealth Treasury, Canberra
2007

14 February 2007
Seminar – The Australia – United States Free Trade Agreement – a Two-Year update
Guest Speakers: Donald Arnavas, Pennsylvania State University
Daniel Sullivan, Australian Embassy in Washington D.C.
Charles Wilkins, FTI Consulting, Washington D.C.

23 February 2007
Seminar - Corporate Law Reform in Malaysia: Challenges and Responses to Globalization
Guest Speaker: Dr Aishah Bidin, University Kebangsaan Malaysia (UKM)

16 March 2007
Seminar – Gatekeepers: The Professions and Corporate Governance
Guest Speaker: Professor John C. Coffee Jnr, Columbia University

26 March 2007
Seminar – Actual Damages, Notional Damages and Loss of Chance
Guest Speaker: Professor Michael Furmston, Singapore Management University
Commentator: Associate Professor Barbara McDonald, University of Sydney
Commentator: Professor John Carter, University of Sydney

29 March 2007
The Ross Parsons Address in Commercial, Corporate and Taxation Law
Annual Lecture - Death, Taxes and Policy: Recent UK Experience
Guest Speaker: Professor John Tiley, University of Cambridge
A copy of the lecture can be found on our website:

10 July 2007
Guest Speaker: Professor Niamh Moloney, University of Nottingham
Commentator: Kevin Lewis, Commonwealth Bank

27 July 2007
Conference – Current Issues in Contract Law (Organised in conjunction with the Commercial Law Association)
Guest Speakers: Associate Professor Barbara McDonald, University of Sydney
Dr Greg Tolhurst, University of Sydney
Dr Elisabeth Peden, University of Sydney
Professor John Carter, University of Sydney

3 October 2007
Seminar – The Endesa Takeover Battle and its Implications for U.S. Regulation of Cross-Border M & A Transactions
Guest Speaker: Richard Hall, Cravath Swaine & Moore, New York
26 November 2007
Seminar - What Matters in U.S. Corporate Governance
Guest Speaker: Professor Allen Ferrell, Harvard University

14 December 2007
Conference - Private Equity, Securitisation and the Future of Capital Markets
Guest Speakers: Vice Chancellor Stephen Lamb, Delaware Court of Chancery
               Professor Eric Talley, University of California at Berkeley
               Professor Iain MacNeil, University of Glasgow
               Professor Justin O'Brien, Centre for Applied Philosophy and Public Ethics
               Professor Melvin Dubnick, University of New Hampshire
               Greg Golding, Mallesons Stephen Jaques