

Thursday 8 - Friday 9 October 2015

\$3550

Looking for something different? Why not gain all your 10 CPD points in Cambodia this year? Join us from 8 – 9 October 2015 at the stunning Sofitel Angkor Phokeethra Golf & Spa Resort in Siem Reap to hear from eminent members of the Australian and Cambodian legal profession including judiciary, senior barristers and leading lawyers. You will have the opportunity to gain all of your 10 CPD points whilst experiencing the unique colours and light of Cambodia including sunrise at UNESCO's World Heritage Temple of Angkor Wat, one of the most spectacular monuments ever conceived. Legalwise Seminar's CPD Compliance in Cambodia Conference promises to be the most unforgettable CPD conference you will ever attend! We hope to see you all there!

DAY 1. THURSDAY, 8 OCTOBER 2015

- » Opening remarks from the Chairperson, **Julian Burnside AO QC**, Aickin Chambers

LUNCH**Luncheon Address: Cambodia: Law, Culture and the Scales of Justice**

- » Presented by **Max Howlett**, Senior Adviser, DFDL Cambodia

PROPERTY LAW CASES**Australian Real Property Cases**

- A review of an interesting Real Property law case from every State and Territory of Australia
- Recent leading High Court cases, both summary and fact situation
- Recent developments on Real Property law at a National level e.g. UTTA and retail leasing
- » Presented by **Gary Newton**, Partner, Colin Biggers & Paisley

FAMILY LAW**When Short Term Relationships Go Belly Up: Family Court Approach to Property Distribution**

- Is the property "pool" determined differently?
- Are pre relationship assets effectively quarantined from the pool?
- Are financial contributions diluted by non-financial contributions?
- Do section 75(2) factors play any and, if so what, role in the final division?
- » Presented by **Tim Matthews QC**, 15 Inns of Court

WILLS AND SUCCESSION ROUNDUP

- » Chair: **Therese Catanzariti**, Barrister, Wentworth Selborne Chambers

Estate Planning: Testamentary Trusts and Self Managed Superannuation Funds (SMSFs)

- Issues for Testamentary Trusts
 - Who controls the Trust and when will another do so?
 - Death of all potential beneficiaries of the
- Testamentary Trust
 - Attitude of the Family Court to Testamentary Trusts in property disputes
 - General benefits of Testamentary Trusts
- Issues for SMSFs
 - Binding death benefit nominations (BDBNs)
 - Advantages and disadvantages of a BDBNs
- Challenges to BDBNs
- Exit strategy
- » Presented by **Dr John de Groot**, Special Counsel, de Groot's Wills & Estate Lawyers

When Notional Estates Issues Cross the Border from NSW

- Jurisdiction: lex domicile, lex situs and section 64 Succession Act 2006
- "Relevant property transaction"
- Types of notional estate: jointly owned property, superannuation, discretionary trust
- Time limits
- » Presented by **Therese Catanzariti**, Barrister, Wentworth Selborne Chambers

Recent Developments in Family Provision Claims

- Costs issues in Family Provision claims
- Impact of prevailing community attitudes towards applicant's claims
- Relevance of estrangement in these applications
- Requirements of affidavit material
- Mediation and settlement issues
- » Presented by **Dr John de Groot**, Special Counsel, de Groot's Wills & Estate Lawyers

DINNER**Dinner Address: Doing Business with ASEAN: A Legal Perspective**

- Understanding the current ASEAN business dynamics
- Cultural sensitivity issues
- Negotiation with an ASEAN counterpart: getting the deal done
- » Presented by **Chris Robinson**, Deputy Managing Director, DFDL Cambodia
- » Commentary by **Max Howlett**, Senior Adviser, DFDL Cambodia

DAY 2. FRIDAY, 9 OCTOBER 2015

Sunrise Tour UNESCO World Heritage Temple of Angkor Wat, Angkor is one of the most important archaeological sites in South-East Asia. Stretching over some 400 km², including forested area, Angkor Archaeological Park contains the magnificent remains of the different capitals of the Khmer Empire, from the 9th to the 15th century. They include the famous Temple of Angkor Wat and, at Angkor Thom, the Bayon Temple with its countless sculptural decorations.

LUNCH**Keynote Luncheon Address: Khmer Rouge Trials**

- » Presented by **Judge Agnieszka Klonowiecka-Milart**, International Judge, Supreme Court, Extraordinary Chambers in the Courts of Cambodia (ECCC)
- » Luncheon Moderator: **Julian W.K. Burnside AO QC**, Aickin Chambers

ETHICS AND PROFESSIONAL SKILLS

Chair: **Julian W.K. Burnside AO QC**, Aickin Chambers

Ethics: 'The Ethical Issues of Being a Legal Practitioner'

Panellists:

Therese Catanzariti, Barrister, Wentworth Selborne Chambers
Dr John de Groot, Special Counsel, de Groot's Wills & Estate Lawyers
Gary Newton, Partner, Collins Biggers & Paisley
Max Howlett, Senior Adviser, DFDL Cambodia

Professional Skills: Are Lawyers Really Negotiators or Simply Middle Men in Mediations? The 'Blue Vase'

- » Presented by **Tim Matthews QC**, 15 Inns of Court

COMMERCIAL AND CORPORATE

- » Chair: **Tim Matthews QC**, 15 Inns of Court

Contractual Interpretation: Do I Mean What I Say?

- What is the correct approach to interpreting contracts?
- Ambiguity and uncertainty
- The real world: looking to the "commercial purpose" and the "genesis of the transaction"
- » Presented by **Julian W.K. Burnside AO QC**, Aickin Chambers

"There's a Bear in There (and a Chair as Well)": Uncovering the Intellectual Property and Consumer Law Issues in Commercial Operations, Transactions and Joint Ventures

- Overview of copyright, trade mark, patent, confidential information, passing off and misleading and deceptive conduct
- Identifying the intellectual property and consumer law issues in commercial operations
- Addressing intellectual property and consumer law issues and risks in commercial negotiations
- » Presented by **Therese Catanzariti**, Barrister, Wentworth Selborne Chambers

The Liability of Directors for Breaches of the Corporations Act: Is it still safe out there?

- Business Judgment Rule
- The sections 1317S and 1318 "exculpatory" defences
- » Presented by **Julian W.K. Burnside AO QC**, Aickin Chambers

CLOSE OF CONFERENCE AND FAREWELL GALA DINNER