

A Guide to Directors’ and Officers’ Liability and Insurance

3rd edition

CARTER
NEWELL





Carter Newell Lawyers is an award winning Australian law firm providing specialist legal advice to national and international corporate clients.

Law specialists in:

- Insurance
- Construction, Projects & Infrastructure
- Aviation
- Employment & Workplace Advisory
- Litigation & Dispute Resolution
- Commercial Property
- Planning & Environment
- Corporate & Commercial
- Energy & Resources

Carter Newell Lawyers has built one of the largest specialist insurance practices in Australia. Our services are exclusively tailored for major insurance companies, Lloyd's syndicates, underwriting agencies, captive insurers, affinity groups, self-insureds, and insurance brokers.

With a track record of award-winning excellence, our insurance team stands out for its exceptional quality, in-depth knowledge, and innovative claims management approach. These key attributes have positioned it as a leader in the insurance sector in Australia.



World Partnerships

Carter Newell Lawyers is a member of Insurance Law Global (ILG) and TAGLaw which provides world leading collaboration for the benefit of clients.

Insurance Law Global (ILG) is a multi-jurisdictional network of best-in-class law firms dedicated to serving the insurance industry. ILG members are committed to helping clients respond to the challenges and opportunities presented by globalisation and the increasingly diverse needs of the insurance industry.

TAGLaw (a division of TAGAlliances) is an international alliance of independent law firms providing a full range of legal services to clients all over the world. With more than 160 firms in over 90 countries, TAGLaw ranks among the five largest legal alliances globally and has been consistently recognised as "Elite" by Chambers and Partners.

A Guide to Directors' and Officers' Liability and Insurance

3rd edition

Contributors:

Mark Brookes

Greg Stirling

Hayley Nankivell

Madeleine Jones

Lachlan Smith

Jack Scott

Mollie Taylor

Chloe Barry

Tallulah Paul

**CARTER
NEWELL**

Carter Newell Publications

Brisbane / Sydney / Melbourne

NB: This Guide was prepared by reference to current case law and legislation in force as at 31 December 2024. Due to the extensive nature of this Guide, there may be some references to case law and legislation that are no longer current. This Guide attempts to draw out the most significant points in the relevant case law and legislation. Whilst all care has been taken to ensure that the most up to date information has been included, not all aspects of the case law and legislation have been covered. The material contained in this Guide is in the nature of general comment only, and neither purports nor is intended to be advice on any particular matter. No reader should act on the basis of any matter contained in this publication without considering, and if necessary, taking appropriate professional advice upon his or her own particular circumstances.

© Carter Newell Lawyers 2025

PREFACE

Directors' and Officers' (D&O) insurance cover needs to be arranged by companies for the protection of their directors and officers, without which it would be much more difficult if not impossible to secure their appointment.

Without D&O insurance, personal exposure would operate as a disincentive for taking risks when making business decisions, on which innovation and success are often based.

An undesirable consequence of D&O insurance however, is that it may encourage litigation against directors due to plaintiffs' expectations any damages will be indemnified.

Claims against directors and officers and the significant defence costs involved are therefore amongst the most high profile and contentious aspects of third party liability insurance.

The prevalence of class actions and litigation funding continues to prove a challenge for underwriters in evaluating the risks their insureds face, because the liability exposure faced by company directors and officers in Australia and the class action environment is continuing to evolve in the courts.

The latest edition of this guide therefore includes a discussion of the current securities class action and litigation funding environment in Australia.

The extent to which that liability – and the associated costs of defending claims brought against directors and officers – can be indemnified is of fundamental importance to insureds. This guide therefore also addresses the most common coverage issues.

I hope this latest edition provides some assistance to underwriters and to the management of any claims that arise.

Mark Brookes
Partner
BA (Joint Hons) Law and Politics

Direct Line: +61 (0) 7 3000 8301
Mobile: +61 (0) 410 586 210
Email: mbrookes@carternewell.com

CONTENTS

Preface	iii
Contents	v
Table of Cases	vii
TABLE OF LEGISLATION	xii
Chapter 1 – INTRODUCTION.....	1
CHAPTER 2 – WHO IS COVERED BY D&O INSURANCE?.....	3
Statutory definitions.....	3
Leading cases.....	4
CHAPTER 3 – WHAT IS COVERED BY DIRECTORS’ AND OFFICERS’ INSURANCE?	9
Scope of cover	9
Adequacy of cover	9
What is covered	10
Breach of director’s duties — some leading and recent cases.....	12
CHAPTER 4 – EXCLUSIONS AND OTHER POLICY ISSUES.....	19
Exclusions.....	19
Other exclusions.....	30
Availability of indemnity from the company.....	30
Pre-conditions of cover.....	31
Defence and investigation costs.....	32
The advancement of defence costs.....	32
Allocation of loss.....	38
Dual insurance	39
Equitable contribution.....	40
Management liability.....	42
Global D&O policies versus local D&O policies	43
Key indicia.....	44
Final comments on cover afforded by D&O policies.....	44
Competing claims on D&O policies.....	44
Australian consideration of the <i>Bridgecorp</i> decision.....	45
Composite cover and non-imputation.....	49
Shareholders’ and insolvency practitioners’ access to the D&O policy.....	49
CHAPTER 5 – TRADING WHILE INSOLVENT.....	53
Safe harbour protection	56
Civil sanctions	56
Criminal sanctions.....	57
Liquidation.....	58
Claims.....	59
Increasing the role of ASIC	60

CHAPTER 6 – INSURANCE AND COMPANY INDEMNITY.....	61
CHAPTER 7 – CLASS ACTIONS.....	65
Australian securities class actions.....	65
Class action procedures.....	65
Australia’s legal landscape.....	71
The American precedent.....	72
Looking ahead.....	73

TABLE OF CASES

<i>AIG Australia Ltd v Kaboko Mining Limited</i> [2019] FCAFC 96.....	29, 30
<i>Albion Insurance Co Ltd v Government Insurance Office of New South Wales</i> (1969) 121 CLR 342; [1969] HCA 55.....	40
<i>Allianz Insurance Australia Limited v Certain Underwriters at Lloyd's of London</i> subscribing to policy number B105809GCOM0430 [2019] NSWSC 453.....	40
<i>Alora Davies Developments 104 Pty Ltd (In Liq) v Raphael</i> [2024] NSWSC 547.....	6, 7, 55
<i>Anchorage Capital Master Offshore Ltd v Sparkes (No 3); Bank of Communications Co Ltd v Sparkes (No 2)</i> [2021] NSWSC 1025.....	12
<i>Antico v CE Heath Casualty & General Insurance Ltd and ANOR</i> (1995) 8 ANZ Ins Cas 61-268; [1996] NSWCA 18.....	21
<i>Arab Bank v Zurich Insurance Company</i> [1999] 1 Lloyd's Rep 262.....	49
<i>ASIC v Vanguard Investments Australia Ltd</i> [2024] FCA 308.....	72
<i>Attorney-General v AON New Zealand Ltd</i> [2008] NZCA 524.....	19
<i>Australian Competition and Consumer Commission (ACCC) v BlueScope Steel Limited</i> (No 6) [2023] FCA 1029.....	28
<i>Australian Competition and Consumer Commission (ACCC) v TPG Internet Pty Ltd</i> (2013) 250 CLR 640; [2013] HCA 54.....	57
<i>Australian Eagle Insurance Co Ltd v Mutual Acceptance (Insurance) Pty Ltd</i> [1983] 3 NSWLR 59.....	40
<i>Australian Securities and Investments Commission (ASIC) v AMP Financial Planning Pty Ltd</i> (2020) 377 ALR 55; [2020] FCA 69.....	57
<i>Australian Securities and Investments Commission (ASIC) v Bettles</i> (2023) 169 ACSR 244; [2023] FCA 975.....	16
<i>Australian Securities and Investments Commission (ASIC) v Camelot Derivatives Pty Ltd (in liq)</i> (2012) 88 ACSR 206; [2012] FCA 414.....	69
<i>Australian Securities and Investments Commission (ASIC) v Fortescue Metals Group Ltd (No 5)</i> (2009) 264 ALR 201; [2009] FCA 1586.....	14, 15, 16
<i>Australian Securities and Investments Commission (ASIC) v Healy</i> (2011) 196 FCR 291; [2011] FCA 717.....	31
<i>Australian Securities and Investments Commission (ASIC) v Hellicar</i> (2012) 247 CLR 345; [2012] HCA 17.....	12, 13, 15, 16
<i>Australian Securities and Investments Commission (ASIC) v King</i> (2020) 270 CLR 1; [2020] HCA 4.....	5, 6
<i>Australian Securities and Investments Commission (ASIC) v Plymin (No 1)</i> (2003) 175 FLR 124; [2003] VSC 123.....	57
<i>Australian Securities and Investments Commission (ASIC) v Plymin (No 2)</i> (2003) 21 ACLC 1.....	54
<i>Australian Securities and Investments Commission (ASIC) v Westpac Banking Corporation</i> [2019] FCA 2147.....	57
<i>Australian Securities and Investments Commission (ASIC) v Wilson (No 3)</i> (2023) 171 ACSR 1; [2023] FCA 1009.....	17, 18

<i>Bacon v McBride</i> [1984] BCJ 2813; 1984 CanLII 692	34
<i>Bank of Australasia v Hall (Trustee of the estate of Robertson in liq)</i> (1907) 4 CLR 1514; [1907] HCA 78	53
<i>Bank of Queensland Ltd v Chartis Australia Insurance Ltd</i> [2012] QSC 319	34, 35, 36, 37, 38
<i>Bass v Perpetual Trustee Company Limited</i> (1999) 198 CLR 334; [1999] HCA 9	36
<i>Bechini v IUS Pty Limited (ABN 93 003 359 279 (in Liquidation))</i> [2019] NSWSC 427	24
<i>BFSL 2007 Limited v Steigrad</i> [2014] 1 NZLR 304; [2013] NZSC 156	45, 46
<i>BMW Australia Ltd v Brewster & Anor and Westpac Banking Corporation v Lenthall</i> (2019) 269 CLR 574; [2019] HCA 45	67
<i>Bonham (as trustee for the Aucham Super Fund) and Another v Iluka Resources Ltd</i> (2022) 404 ALR 15; [2022] FCA 71	70
<i>BOS International (Australia) Limited v Babcock & Brown International Pty Ltd</i> [2011] NSWSC 1382	49
<i>Brunninghausen v Glavanics</i> (1999) 46 NSWLR 538.....	59
<i>CA & MEC McNally Nominees Pty Ltd v HTW Valuers (Brisbane) Pty Ltd</i> [2009] 2 Qd R 1; [2001] QSC 388	22, 23
<i>Campbells Cash and Carry Pty Limited v Fostif Pty Limited</i> (2006) 229 CLR 386; [2006] HCA 41	59
<i>CGU Insurance Limited v Porthouse</i> (2008) 235 CLR 103; [2008] HCA 30	19
<i>Chubb Insurance Company of Australia Limited v Moore</i> (2013) 302 ALR 101; [2013] NSWCA 212	47
<i>City of Pontiac Gen. Employees' Ret. Sys. v Bush</i> , 2022 U.S. Dist. LEXIS 85731.....	72
<i>Clipsal Australia Pty Ltd v Clipso Electrical Pty Ltd (No 3)</i> (2017) 122 IPR 395; [2017] FCA 60	12
<i>Commercial & General Insurance Co Ltd v Government Insurance Office (NSW)</i> (1973) 129 CLR 374; [1973] HCA 51	40
<i>Conklin Co Inc v National Union Fire Insurance Co</i> 1987 WL 108957.....	25
<i>Cooper v Farmers' Mutual Insurance Society</i> [2001] OJ 3504; 2002 CanLII 44938	32
<i>Crowley v Worley Ltd (No 2)</i> [2023] FCA 1613	70
<i>Deaves v CLM Fire and General Insurance Co Ltd</i> (1979) 143 CLR 24; [1979] HCA 12	25
<i>East End Real Estate v CE Heath Casualty & General Insurance Ltd</i> (1991) NSWLR 400.....	21
<i>Eastland Technology Pty Ltd v Whisson</i> (2005) 223 ALR 123; [2005] WASCA 144	61
<i>Elliott v Australian Securities and Investments Commission (ASIC); Plymin v ASIC</i> (2004) 10 VR 369; [2004] VSCA 54	57
<i>Emanuel Management Pty Ltd v Fosters Brewing Group Limited</i> (2003) 178 FLR 1; [2003] QSC 205	54
<i>Emps.' Ret. Sys. of Rhode Island v Silverman</i> , 209 N.Y.S.2d 444.....	72
<i>Esa v. Nortonlifelock, Inc. Defendants-Appellees</i> , 2022 U.S. App. LEXIS 29548.....	72
<i>FAI General Insurance Co Ltd v Australian Hospital Care Pty Ltd</i> (2001) 204 CLR 641; [2001] HCA 38	20, 21, 22
<i>FAI General Insurance Co Ltd v Perry</i> (1993) 30 NSWLR 89.....	21
<i>Falat v Sacks</i> , 2021 U.S. Dist. LEXIS 14729.....	72

<i>First Strategic Development Corp Ltd (in liq) v Chan</i> [2014] QSC 060	55
<i>Foote v Mehrotra</i> , 2023 U.S. Dist. LEXIS 196796	72
<i>Forrest v Australian Securities and Investments Commission (ASIC)</i> (2012) 247 CLR 486; [2012] HCA 39	14, 15
<i>Gerah Imports Pty Ltd v Duke Group Limited (in liquidation)</i> (1993) 61 SASR 557; [1993] SASC 4359	50
<i>GIO General Ltd v Insurance Australia Ltd (t/as NRMA Insurance)</i> [2008] ACTSC 38	39
<i>Green v CGU Insurance Limited</i> (2005) 215 ALR 612; [2005] NSWSC 254	29
<i>Green v CGU Insurance Limited</i> (2008) 67 ASCR 398; [2008] NSWSC 825	26
<i>Grimaldi v Chameleon Mining NL (No 2)</i> (2012) 200 FCR 296; [2012] FCAFC 6	5
<i>Grosvenor Hill (Qld) Pty Ltd v Barber</i> (1994) 48 FCR 301; [1994] FCA 59	50, 51
<i>Hamilton v Oades</i> (1989) 166 CLR 486; [1989] HCA 21	50
<i>Hayes (liquidator), in the matter of Container Freight Services Pty Ltd (in liq) v Sinadinos</i> [2024] FCA 885	3
<i>HIH Insurance Ltd and HIH Casualty and General Insurance Ltd, Re; Australian Securities and Investments Commission (ASIC) v Adler</i> (2002) 168 FLR 253; [2002] NSWSC 171	57
<i>In re Danaher Corp. S'holder Derivative Litig.</i> , 549 F. Supp. 3d 59.....	72
<i>Iso Lildow Aliphumeleli Pty Ltd (in liquidation) v Commissioner of Taxation</i> (2002) 42 ACSR 561; [2002] NSWSC 644	54
<i>JAS v Gross</i> [1998] AJ 1466; 2002 ABCA 36	35
<i>John Wyeth v Cigna</i> [2001] Lloyd's Rep IR 420; [2000] EWHC 192 (Comm)	39
<i>JR Consulting & Drafting Pty Ltd v Cummings</i> (2016) 329 ALR 625; [2016] FCAFC 20	12
<i>Kerr v Lawyers Professional Indemnity Company</i> (1995) 25 OR (3d) 804; 1995 CanLII 163	34
<i>Kiger ex rel. Qualcomm Inc. v Mollenkopf</i> , 2021 U.S. Dist. LEXIS 220509	72
<i>Kinsela & Anor v Russell Kinsela Pty Ltd (in liq)</i> (1986) 4 NSWLR 722.....	59
<i>Klein v Ellison</i> , 2021 U.S. Dist. LEXIS 97965.....	72
<i>Kohanski v St Paul Guarantee Insurance Co</i> (2006) 78 OR (3d) 684; 2006 CanLII 914	25
<i>Laughlin v Sharon High Voltage Incorporated</i> (1993) 12 OR (3d) 101; 1993 CanLII 8648	34
<i>Leckenby v Note Printing Australia Ltd</i> (2014) 291 FLR 32; [2014] VSC 538	62
<i>Lee v Fisher</i> , 2021 U.S. Dist. LEXIS 82804.....	72
<i>Lee v Frost</i> , 2021 U.S. Dist. LEXIS 165651.....	72
<i>London Equities Limited v Penrice Soda Holdings Pty Ltd</i> (2011) 281 ALR 519; [2011] FCA 674	49
<i>Major Engineering Pty Ltd v CGU Insurance Limited</i> (2011) 35 VR 458; [2011] VSCA 226	37, 38
<i>McCarthy v St Paul Insurance Company Limited</i> (2007) 157 FCR 402; [2007] FCAFC 28	35, 37, 39
<i>McFarlane (as trustee for the S McFarlane Superannuation Fund) v Insignia Financial Ltd</i> [2023] FCA 1628	70
<i>Merim Pty Ltd v Style Limited</i> (2009) 255 ALR 63; [2009] FCA 314	49
<i>Meteyard v Love</i> (2005) 65 NSWLR 36; [2005] NSWCA 444	50
<i>Miller v Miller</i> (1995) 16 ACSR 73.....	61

<i>Moore Stephens v Stone Rolls Ltd</i> [2009] All ER (D) 330; [2009] UKHL 39	12, 59
<i>Mrdajl v Southern Cross Constructions (NSW) Pty Ltd (In Liq)</i> [2018] NSWSC 161	48
<i>Multiplex Funds Management Ltd v P Dawson Nominees Pty Ltd</i> (2007) 164 FCR 275; [2007] FCAFC 200	66
<i>National Center for Public Policy Research v Schultz et al</i> , 2023 U.S. Dist. LEXIS 47969.....	73
<i>National Roads and Motorists' Association v Whitlam</i> (2007) 25 ACLC 688; [2007] NSWCA 81	63
<i>Nicholas v Wesfarmers Curragh Pty Limited</i> [2010] QSC 447	40
<i>Nichols v American Home Assurance Company Limited</i> [1990] 1 SCR 801	34
<i>Ocegueda v Zuckerberg</i> , 526F. Supp. 3d 637	72
<i>One Funds Management Limited, in the matter of One Funds Management Limited</i> [2023] FCA 1212	61
<i>Percival v Wright</i> (1902) 2 Ch 421.....	59
<i>Peters v R</i> (1998) 192 CLR 493; [1998] HCA 7	57
<i>Power v Markel Capital Ltd</i> (2006) 14 ANZ Ins Cas 61–714; [2006] QSC 341	62
<i>Queensland Bacon Pty Ltd v Rees</i> (1966) 115 CLR 266; [1966] HCA 21	55
<i>Re ACN 092 745 330</i> [2017] NSWSC 241	3
<i>Redenbach v Legal Practice Management Group Pty Ltd & Others</i> (2018) 125 ACSR 513.....	59
<i>Re Hugh J Roberts Pty Ltd & Companies Act</i> [1970] 2 NSW 582	51
<i>Re People's Department Stores Limited</i> (1992) Inc (1998) 23 CBR (4th) 200; 1998 CanLII 9390	25
<i>Re Qintex Group Management Services Pty Ltd (in liq)</i> [1997] 2 Qd R 91; [1996] QCA 464	50
<i>Rich v CGU Insurance Limited</i> (2005) 214 ALR 370; [2005] HCA 16	28
<i>Rickus v Motor Trades Association of Australia Superannuation Fund Pty Ltd</i> (2010) 265 ALR 112; [2010] FCAFC 16	62
<i>Rothschild & Sons v St Paul International Insurance Company</i> (2004) 13 ANZ Ins Cas 61–602; [2004] NSWSC 359	34
<i>Rushleigh Services Pty Ltd v Forge Group Limited (In Liquidation) (Receivers and Managers Appointed)</i> (2018) 355 ALR 248; [2018] FCA 26	48
<i>Safeway Stores Ltd v Twigger</i> [2010] All ER (D) 245; [2010] EWCA Civ 1472	27, 28
<i>Sandell v Porter</i> (1966) 115 CLR 666; [1966] HCA 28	54
<i>Selim v McGrath</i> (2003) 177 FLR 85; [2003] NSWSC 927	61
<i>Shafron v Australian Securities and Investments Commission</i> (2012) 247 CLR 465; [2012] HCA 18	4, 60
<i>Silbermann v CGU Insurance Limited</i> (2003) 57 NSWLR 469; [2003] NSWCA 203	27, 29, 33
<i>Smithton Ltd (formerly Hobart Capital Markets Ltd) v Nagggar</i> [2014] All ER (D) 118; [2014] EWCA Civ 939	6
<i>Snelgrove v Great Southern Managers Australia Limited (in liquidation) (receivers and managers appointed)</i> [2010] WASC 51	49, 50
<i>Sons of Gwalia Limited v Margaretic</i> (2007) 231 CLR 160; [2007] HCA 1	44, 45

<i>Southern Cross Interiors Pty Ltd (in liquidation) v DCT</i> (2001) 53 NSWLR 213; [2001] NSWSC 621	54
<i>Southern Cross Mine Management v Ensham Resources Pty Ltd & Ors</i> [2004] 2 Qd R 207; [2003] QSC 402	59
<i>Stone (liquidator), Ironbark Blacksmithing Pty Ltd (in liq) v Mizzi</i> [2024] FCA 696	16, 17
<i>Strongman v Sincock</i> [1955] 2 QB 525.....	27
<i>Students for Fair Admissions, Inc. v President and Fellows of Harvard College</i> 600 U.S. 181.....	73
<i>Students for Fair Admissions, Inc. v Univ. of N.C.</i> 567 F. Supp. 3d 580.....	73
<i>Swancom Pty Ltd v Jazz Corner Hotel Pty Ltd (No 2)</i> (2021) 157 IPR 498; [2021] FCA 328	12
<i>Tosich v Tasman Investment Management Ltd</i> (2008) 250 ALR 274; [2008] FCA 377	9
<i>TPT Patrol Pty Ltd as trustee for Amies Superannuation Fund v Myer Holdings Ltd</i> (2019) 293 FCR 29; [2019] FCA 1747	70
<i>Turner v Tesa Mining (NSW) Pty Limited</i> (2019) 290 IR 388; [2019] FCA 1644	67
<i>Uniting Church in Australia Property Trust (NSW) v Allianz Australia Insurance Ltd (Liability Judgment)</i> [2023] FCA 190	20
<i>Vero Insurance Ltd v Baycorp Advantage Ltd</i> (2005) 23 ACLC 199; [2004] NSWCA 390	39
<i>Walker v Wimborne</i> (1976) 3 ACLR 529; (1976) 137 CLR 1	59
<i>Wayne Tank & Pump Co Ltd v Employers Liability Assurance Corp Ltd</i> [1974] QB 57.....	39
<i>Wheelahan v City of Casey</i> [2011] VSC 215	67
<i>White Constructions (ACT) Pty Ltd (in liq) v White</i> (2004) 49 ACSR 220; [2004] NSWSC 71	54
<i>Whitlam v National Roads and Motorists Assn Ltd</i> (2006) 202 FLR 153; [2006] NSWSC 766	62, 63
<i>Wilkie v Gordian Runoff Limited</i> (2005) 221 CLR 522; [2005] HCA 17	28, 33, 37
<i>Williams & Anor v Natural Life Health Foods Ltd & Anor</i> [1998] NLJR 657; [1998] 2 All ER 577	11
<i>Zaki v Better Buildings Constructions Pty Ltd</i> [2017] NSWSC 1522	47
<i>Zonia Holdings Pty Ltd v Commonwealth Bank of Australia Limited (No 5)</i> [2024] FCA 477	70
<i>Zurich Australia Insurance Limited v Metals & Minerals Insurance Pty Limited</i> (2009) 240 CLR 391; [2009] HCA 50	40

TABLE OF LEGISLATION

<i>Age Discrimination Act 2004</i> (Cth).....	71
<i>Australian Securities and Investments Commission Act 2001</i> (Cth).....	69, 70
<i>Civil Procedure Act 2005</i> (NSW).....	65
<i>Civil Law (Wrongs) Act 2002</i> (ACT).....	46
<i>Civil Liability (Third Party Claims Against Insurers) Act 2017</i> (NSW).....	46, 47
<i>Corporations Act 2001</i> (Cth).....	1, 3, 9, 10, 11, 16, 19, 26, 46, 49, 50, 53, 54, 55, 56, 57, 58, 60, 61, 62, 63, 68, 69, 70
<i>Corporations Amendment (Crowd-sourced Funding) Act 2017</i> (Cth).....	11
<i>Corporations Amendment (Sons of Gwalia) Act 2010</i> (Cth).....	45
<i>Corporations Law Amendment (Employee Entitlements) Act 2000</i> (Cth).....	59
<i>Corporations Amendment (Repayment of Directors' Bonuses) Act 2003</i> (Cth).....	59
<i>Corporate Law Reform Bill 1992</i> (Cth).....	54
<i>Disability Discrimination Act 1992</i> (Cth).....	71
<i>Environmental Protection and Biodiversity Conservation Act 1999</i> (Cth).....	11
<i>Fair Trading Act 1989</i> (Qld).....	35
<i>Insurance Contracts Act 1984</i> (Cth).....	9, 20, 21, 22, 23, 24, 25, 26, 32, 40, 41, 46, 48, 49
<i>Law Reform (Miscellaneous Provisions) Act 1946</i> (NSW).....	46, 47
<i>Law Reform (Miscellaneous Provisions) Act 1956</i> (NT).....	46
<i>Law Reform Act 1936</i> (NZ).....	45, 46
<i>Limitation Act 1969</i> (NSW).....	47, 48
<i>Proceedings Act 2011</i> (Qld).....	65
<i>Racial Discrimination Act 1975</i> (Cth).....	71
<i>Sex Discrimination Act 1984</i> (Cth).....	71
<i>Taxation Administration Act 1953</i> (Cth).....	11
<i>Treasury Laws Amendment (2017 Enterprise Incentives No. 2) Bill 2017</i> (Cth).....	56
<i>Treasury Laws Amendment (Strengthening Corporate and Financial Sector Penalties) Bill 2018</i> (Cth).....	60
<i>Workplace Health and Safety Act 2011</i> (Cth).....	11
<i>Federal Court of Australia Act 1976</i> (Cth).....	65, 66, 67
<i>Federal Court Rules 2011</i> (Cth).....	65
<i>Supreme Court Act 1986</i> (Vic).....	65
<i>Competition and Consumer Act 2010</i> (Cth).....	11, 70

This is the end of the preview.

To request a full copy of this publication, please contact newsletters@carternewell.com.

CARTER
NEWELL

carternewell.com

Brisbane / Sydney / Melbourne