10 CPD POINTS IN ONE DAY

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This conference offers more than just a final chance to obtain your compulsory CPD points for the year. Whether the Government Stream, Commercial Stream or a mix of sessions from both best meets your needs, this varied program provides you with the perfect blend of that fulfil your current training requirements.

10 CPD POINTS IN ONE DAY - WELLINGTON

**SESSION ONE 7.30am to 9.30am**

**PROPERTY, FINANCE AND NFP UPDATE FOR THE COMMERCIAL LAWYER**

- Chair: Peter Ratner, Partner, Crengle, Shewes & Ratner

**PROPERTY LAW UPDATE**

- Easements and land access
- Restrictive covenants and encumbrances: enforceability
- Unit titles: current issues
- Residential tenancies: what lawyers need to know

- Presented by Alan Henwood, Director, Stephens Lawyers

**LEGAL DEVELOPMENTS IN THE NOT-FOR-PROFIT SECTOR**

- Case law update; National Council of Women litigation and the Greenpeace decision
- What charities and other NFPs need to know about their obligations in relation to Anti-Money Laundering and Countering the Financing of Terrorism Act 2009
- The legal framework and key issues with respect to the new financial reporting regime

- Presented by Sue Barker, Director, Sue Barker Charities Law

**Changes in Securities and Fundraising Law**

- Hot Topics in Employment Law
- Bullying: What is it and how should it be dealt with?
- Developments in restructuring and redundancy
- The most interesting cases of the last 6 months

- Presented by Blair Scotland, Partner, and David Trayler, Senior Associate, Dundas Street Employment Lawyers

**Workplace Investigations: Best Practice**

- The merits (or not) of engaging an external investigator
- Complying with the organisation’s good faith, natural justice, privacy and confidentiality requirements
- Maintaining control and oversight: from terms of reference to the outcomes

- Presented by Hamish Ky Aston, Partner, Buddle Findlay

**Alcohol and Drug Testing**

- Determining when workers are impaired/ unsafe to work: Where does the line sit?
- Random testing
- Suspensions and appeals
- Bringing in an external investigator

- Presented by Geoff Davenport, Partner, McBridge Davenport James

**LEARNING OBJECTIVES – YOU WILL:**

- Obtain a general update on important recent developments in property law
- Learn about the new legislative requirements for NFPs as well as consideration of recent cases
- Learn about the new regulation of crowd funding
- Identify important changes for raising funds for startups, SMEs and NFPs

**PROPERTY TWO 9.45am to 12.45pm**

**EMPLOYMENT LAW**

- Chair: Greg Cain, Managing Partner, Kensington Swan

**EMPLOYMENT LAW**

- Hot Topics in Employment Law
- Bullying: What is it and how should it be dealt with?
- Developments in restructuring and redundancy
- The most interesting cases of the last 6 months

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- Bringing in an external investigator

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**LEARNING OBJECTIVES – YOU WILL:**

- Enhance your practice as an employment lawyer by hearing about important recent cases and legislative change
- Deepen your knowledge of workplace investigations
- Learn from the experts on new developments in drug and alcohol testing in an employment context

**ADMINISTRATIVE LAW**

- Chair: Jason McHerron, Barrister, Woodward Street Chambers

**Recent Cases and Developments in Administrative Law**

- A review of administrative law jurisprudence over 2014
- Key developments
- Implications for your clients
- Identification of areas for further development

- Presented by Victoria Casey, Barrister, Thomas More Chambers

**The Nature and Limits of Statutory Power**

- The scope of statutory power matter, and how does it fit in with our Constitutional framework?
- Factors the Courts look at in assessing whether a statutory power is broad or narrow
- Legal consequences if statutory powers are treated broader than they actually are
- How are issues about statutory powers dealt with in judicial review?

- Steps you can take to ensure you act within those powers

- Presented by Francis Cooke QC, Thomond Chambers

**LEARNING OBJECTIVES – YOU WILL:**

- Obtain key updates on developments in administrative law
- Explore legal issues pertaining to the nature and limits of statutory power

**GOVERNMENT DECISION MAKING**

- Chair: Jason McHeron, Barrister, Woodward Street Chambers

**Principles of Decision Making**

- Applying the relevant principles to the process of decision-making including natural justice, legitimate expectations and unreasonableness
- Structural issues; what are the ways to ensure the legislative requirements are met including relevant facts, findings on material issues and reasons for decision

- Presented by Racheal Schmidt-McCleave, Barrister, Stout St Chambers

**Procedural Fairness: Getting it Right**

- Compliance with statutory procedures
- Consultation and natural justice
- Unbiased decision making
- Case law and practical pitfalls

- Presented by Elana Geddis, Harbour Chambers

**How to Identify Ultra Vires Decisions**

- Understanding the nature of ultra vires decisions
- Defining limits on the exercise of public power
- Identifying the remedies available under ultra vires for both court and tribunal decisions

- Presented by Jonathan Orie, Barrister, Stout Street Chambers

**LEARNING OBJECTIVES – YOU WILL:**

- Gain an understanding of the principles of decision making
- Improve your ability to make fair and appropriate decisions while ensuring they do not fail four of the rules in relation to ultra vires decisions

- Presented by Polly Pope, Partner, and Catherine Marks, Consultant, Greg Kelly Law

**CURRENT LEGAL ISSUES FOR GOVERNMENT LAWYERS**

- Chair: Liesel Theron, Partner, Meredith Connell

**Ensuring Your Government Department Complies with the Health and Safety Act**

- Overview of the new legislation
- Current issues: How far does responsibility extend in a government context?
- What to do post Pike River to ensure you comply with your obligations

- Presented by Ian Murray, Principal, Luke Cunningham Clare

**Legal Issues Affecting Public Procurement**

- The legal foundations of different types of inquiry, and practical issues relating to gathering and providing evidence, proving wrongdoing, and natural justice
- Conducting investigations
- Providing legal advice in support of an inquiry or investigation

- Presented by Mei Fern Johnson, Partner, Russell McVeagh

**How Does a Beneficiary Refuse Acceptance?**

- Why does the scope of statutory power matter, and how does it fit in with our Constitutional framework?
- Factors the Courts look at in assessing whether a statutory power is broad or narrow
- Legal consequences if statutory powers are treated broader than they actually are
- What happens if a statutory power is determined to be ultra vires?

- Presented by Me Firth Johnson, Partner, Russell McVeagh

**Crowon Proceedings and Public Interest Immunity (PII)**

- What is PII and how does it operate?
- How are PII claims dealt with?
- The test for PII
- Types of content that may involve a PII claim over a document

- Presented by Gregor Allen, Barrister, Port Nicholson Chambers

**LEARNING OBJECTIVES – YOU WILL:**

- Understand and apply the PII framework
- The test for PII
- Common problem areas
- Consequences of termination

- Presented by Gail O’Callaghan, Partner, McWilliam Rennie

**LEARNING OBJECTIVES – YOU WILL:**

- Gain insights into tender evaluation and challenging a successful tender

- Presented by Peter Castle, Barrister, Clifton Chambers

**PROCUREMENT AND TENDERING**

- Chair: Leisel Theron, Partner, Meredith Connell

**Tender Evaluation: Getting it Right**

- Evaluation in the procurement lifecycle
- Competitive dialogue
- Setting evaluation criteria
- Selecting evaluation teams
- Providing evaluation plans
- Financial evaluation methodologies
- Assessing value for money
- Pre-qualification

- Presented by Me Firth Johnson, Partner, Russell McVeagh

**Competitive Procurement and Challenging the Successful Tender**

- What are the rules and when do they apply?
- Grounds for challenging a tender
- Available remedies
- Timing of challenges
- Process

- Presented by Peter Castle, Barrister, Clifton Chambers

**LEARNING OBJECTIVES – YOU WILL:**

- Delve into the complexities of the interplay between family law and procurement
- Understand the legal issues affecting public inquiries, particularly in light of the Inquiries Act 2013
- Understand competing interests and practical issues relating to gathering and providing evidence, proving wrongdoing, and natural justice
- Conducting investigations
- Providing legal advice in support of an inquiry or investigation

- Presented by Mei Firth Johnson, Partner, Russell McVeagh

**LEARNING OBJECTIVES – YOU WILL:**

- Gain insights into tender evaluation and challenging a successful tender
Our popular and well-received 10 CPD-points One Day-Christchurch program is back with 8 unique sessions of in-depth, high-level presentations from some of Christchurch’s most esteemed and experienced lawyers. Pick and choose the session that best suits your practice from Commercial and Litigation focused streams. Earn your 10 CPD points in one day or just attend the session relevant to your practice. Book today and take advantage of our combined program to meet your CPD requirements while learning valuable and practical insights that will improve your practice across the board.

**SESSION ONE 7.30am to 9.30am**

**PROPERTY AND COMMERCIAL LEASING**

- **Chair:** David Lang, Partner, Saunders & Co
- **Key Principles of Construction and Building Contracts**
  - Refresher on law of contract
  - Construction Contracts Act
  - Building Act 2013
- **Directors Duties and Liabilities:**
  - Legal risks for directors of insolvent or cash-strapped companies
  - Exposures for directors of companies which have gone into liquidation
  - Presented by Mark Russell, Barrister, Canterbury Chambers

**LEARNING OBJECTIVE – YOU WILL:**

- Learn the best way to deal with lay and unrepresented litigants
- Understand the issues with Water take and discharge in water allocation.

**OR**

**PROPERTY AND COMMERCIAL LEASING**

- **Chair:** Michael Simpson, Simpson Grierson
- **Commercial Leasing in a Seismic City: Issues for Commercial Leases**
  - Presentation by Kris Morrison, Partner, Parry Field Lawyers
- **PPSA for Property Lawyers**
  - Presentation by Kate Stevens, Partner, Duncan Cottrell

**LEARNING OBJECTIVE – YOU WILL:**

- Learn recent documentation trends in agreements to build and lease
- Be aware of the impact of overseas scrutiny activities
- Understand recent developments in PPSA

**SESSION TWO 9.45am to 12.45pm**

**COMMERCIAL AND CORPORATE LAW UPDATE**

- **Chair:** Geoff Brodie, Barrister, Endeavour Chambers
- **Key Principles of Construction and Building Contracts**
  - Refresher on law of contract
  - Construction Contracts Act
  - Building Act 2013
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  - Legal risks for directors of insolvent or cash-strapped companies
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- Be aware of the impact of overseas scrutiny activities
- Understand recent developments in PPSA

**SESSION THREE 1.15pm to 4.15pm**

**WILLS, ESTATES AND TRUSTS LAW UPDATE**

- **Chair:** Dale Lester, Barrister, Canterbury Chambers
- **Update on Wills and Trusts Administration**
  - The Wills Act 2007: topical issues and reminders
  - Trust accounting procedures: best practice
  - Insolvency and potential for conflicts
  - Costs and complaints
  - Presented by Michael O’Regan, Partner, and Geoff Falcon, Partner, Cameron & Company

**LEARNING OBJECTIVES – YOU WILL:**

- Get a refresher on the current law on relocation within and outside New Zealand
- Understand the key provisions of OIA in rural transactions
- Gain a practical review of the COCA Regime 10 months after its implementation

**OR**

**REAL ESTATE AND PROPERTY LAW UPDATE**

- **Chair:** Grant Shand, Principal, Grant Shand Barristers and Solicitors
- **Communication in a Seismic City: Issues for Commercial Leases**
  - Presentation by Kris Morrison, Partner, Parry Field Lawyers
- **PPSA for Property Lawyers**
  - Presentation by Kate Stevens, Partner, Duncan Cottrell

**LEARNING OBJECTIVE – YOU WILL:**

- Get a refresher on the current law on relocation within and outside New Zealand
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**SESSION FOUR 4.30pm to 6.30pm**

**RURAL LAW: CURRENT ISSUES**

- **Chair:** Mark Tavendale, Director, Tavendale and Partners
- **Overview of Investment Act and Rural Transactions**
  - Summary of the key provisions of OIA
  - Benefit to NZ and the counterfactual test
  - Drafting tips for sale agreements
  - Presented by Oliver Roberts, Partner, Duncan Cotterill

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- Get a refresher on the current law on relocation within and outside New Zealand
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**FAMILY LAW IN PRACTICE**

- **Chair:** His Honour Judge RJ Murfitt, Judge of Family Court, District Court of New Zealand
- **Claims Above and Beyond the Grave**
  - Property (Relationships) Act 1976
  - Family Protection Act 1955
  - Law Reform (Testamentary Promises) Act 1949
  - Presented by Lana Paul, Barrister, Atticus Chambers
- **Relocation Within and Outside New Zealand**
  - Law and practice
  - Presented by Simon Fox, Partner, Cameron & Company

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**WORKPLACE, EMPLOYMENT AND OH&S**

- **Chair:** David Appleton, Member, Employment Relations Authority
- **New Health and Safety Reform Act Duties and Liabilities under the Legislation**
  - Claims Against Health and Safety Reform Act
  - Personal duties and liabilities of: PCBUs, directors and officers; in-house counsel; third party contractors; voluntary boards and school boards
  - Penalties and insurance
  - Presented by Glenn Jones, Barrister, Bridgebridge Chambers

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**OR**

**REAL ESTATE AND PROPERTY LAW UPDATE**

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  - Presentation by Kris Morrison, Partner, Parry Field Lawyers
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**SESSION ONE 7.30am to 9.30am**

**PROPERTY AND COMMERCIAL LEASING**

- **Chair:** David Lang, Partner, Saunders & Co
- **Recent Developmental Trends in the Public and Private Sector: Agreements to Build and Lease**
  - Key clauses and issues
  - Integration of fit-out base build and MCHF
  - Building performance specifications and milestones
  - Construction contracts and completion for delay
  - Presented by Michael Simpson, Simpson Grierson

**LEARNING OBJECTIVES – YOU WILL:**

- Learn the best way to deal with lay and unrepresented litigants
- Understand the issues with Water take and discharge in water allocation.
10 CPD POINTS IN ONE DAY - AUCKLAND

$775 / Wednesday, 4 March 2015 / 7.30am to 6.30pm
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Our popular and well-received 10 CPD Points in One Day program is back with 8 unique sessions of in-depth, high level presentations from national and international speakers. Earn your 10 CPD Points in one day or just attend the session relevant to your practice. Book today and improve your practice across the board.

SESSION ONE 7.30am to 10.30am
Commercial Leasing Issues Review

Chair: James Blackie, Director, Thompson Blackie Biddies
Tailing the Standard Lease Agreement to Specific Transactions
What to look out for
Practical tips and guidance
Presented by Edward Dunphy, Partner, Anthony Harper

Update on Issues Arising from Termination and Expiration
Part 1: End of Leases
Expiration issues
Make good obligations
Recent cases, Cazna Avenue Nominees Ltd v The University of Auckland and Auckland and Waitemata Waterfront Development Agency Ltd v Mobil Oil New Zealand Ltd
Part 2: Due Diligence Issues
Due diligence issues relating to leasing when purchasing a property
Presented by Joanna Pidgeon, Partner, Pidgeon Law

Commercial Leasing in a Seismic Country
Impact on leases: using the new building code standard
Impact on ongoing leases
Presented by Tim Rainey, Partner, Rainey Law

LEARNING OBJECTIVES – YOU WILL:
- Learn how to tailor the Standard Lease agreement to specific transactions
- Be aware of the impact on leases to counter seismic activity

FAMILY LAW ISSUES
Auckland and The Hague Convention: how the convention works
Current Law
Recent cases and developments
Interest: What is appropriate discretionary rate?
Costs contribution orders: What will your clients be expected to pay?
A role for lawyers: ‘without notice’ applications
Helping clients
Setting groundwork for effective mediation
Understanding the available alternatives and when to use them
Learn
-the traps for employers when considering restructuring
- What does the court require?
The trial
without prejudice communications

Chair: Kirsty Swadling, Barrister, Eden Street Chambers
David Dunphy, Partner, Swarbrick Beck Mackinnon
Vanessa Bruton, Partner, Davenports Harbour Lawyers
Bruce Gray QC

EMPLOYMENT, WORKPLACE AND OH&S UPDATE

Chair: Dr Bill Hodge, Professional Teaching FellowLaw, University of Auckland
Directors, Employers and Manager Duties and Liabilities under the New Health and Safety Legislation
Overview of the legal framework and the new legislation, the key terminology and concepts to be introduced. Explanation of the positive impact that the new legislation will have on the workforce.
Principles explored
Presented by John Cooper, Barrister, Shortland Chambers

Employment Issues Arising from Restructures
Reflections on the COCA Regime and avoiding the traps
Dismissal: getting the process right
Selecting and briefing experts
Your obligations if you are acting on day-to-day care or contact
Recent cases
Presented by Jennifer Mills, Partner, Minter Ellison

Bullying and Harassment: Investigations and Recent Claims
Tension between the definition of bullying in the case law and the Guidance
Internal or external investigations - Running a ‘fair and reasonable’ investigation - advantages and disadvantages to what you choose
Presented by Penny Swarbrick, Partner, Swarthick Mackinnon

Employment Relations Act Amendment Refresher
This seminar will focus on imminent amendments to the Employment Relations Act 1999, including the following key amendments: good faith in disclosure of information; rest and meal breaks; new ‘vulnerable’ worker provisions; employer-friendly collective bargaining amendments and authority decision-making procedures and time-frames
Presented by Andrew Schimmack, Partner, LangtonHudsonButcher

LEARNING OBJECTIVES – YOU WILL:
- Understand where lawyers as trustees and advisers to trustees can be exposed
- Learn some common areas wills are disputed and challenged
- Consider how to provide certainty in estates of blended families
- Review the issues around certainty of intention to establish a trust

WILLS, TRUSTS AND SUCCESSION PLANNING LAW

Chair: Richard Gay, Barrister
Problem of the Elderly: Incapacity Issues for Wills, Trust and Powers of Attorney
Principles explored
Recent cases
Presented by Catherine Atkinson, Partner, Matrell McKegg

Lawyers as Trustees and Advisors to Trustees: Avoiding Being Caught in the Cross-Fire when Disputes Arise
Recent cases
Lessons to be learned
Costs: Who pays?
Presented by Vanessa Bruton, Barrister, O’Connell Chambers

BLENDED FAMILIES AND ESTATE PLANNING PITFALLS
How to provide certainty in estates
Ensuring the estate meets the interests of the deceased
Pitfalls to be aware of when blended families
Presented by Tammy McLeod, Partner, Davenports Harbour Lawyers

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PRACTICAL LITIGATION SKILLS

Chair: Edward Scorpio, Partner, Chapman Tripp
Mastering Evidence
Expert Evidence
Selecting and briefing experts
Fails to avoid
How the court views prestige
Without prejudice communications
Presented by Penny Swarbrick, Partner, Swarthick Mackinnon

Dealing with the Lay Litigant
When lay litigant becomes vexatious
Consideration of requirements for pleadings, discovery and other interlocutory applications
The trial
Presented by Bruce Gray QC, Shortland Chambers

Mastering Interlocutory Applications
The importance of preparation
Clear
Supportive evidence
What does the court require?
Presented by Sandra Grant, Barrister, Shortland Chambers

The Importance of Written Advocacy: A View From the Bench
This seminar will examine some of the pitfalls, and the value, of good writing for the courts.
Framing effective written submissions:
Concise
Educative and informative
Persuasive
How do you make sure the judge reads them? How do you ‘talk’ to them?
Presented by Graham Kohler QC, Shortland Chambers

LEARNING OBJECTIVES – YOU WILL:
- Receive a practical overview of evidence and experts
- Understand how to best manage lay litigants
- Explore the pitfalls and value of excellence in written submissions
- Receive practical guidance to bring successful interlocutory applications in your practice

OR

OR

OR
Please visit www.legalwiseseminars.co.nz

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### VENUES:
- The Intercontinental Wellington, 2 Grey St, Wellington
- Rydges Christchurch, 30 Latimer Square, Christchurch
- Stamford Plaza Auckland, 22 – 26 Albert St, Auckland

### 10 POINTS IN ONE DAY - WELLINGTON

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### 10 POINTS IN ONE DAY - CHRISTCHURCH

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<th>Early Bird Price</th>
<th>Std. Price</th>
<th>Face to Face</th>
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<td>1 - 7am</td>
<td>10 CPD Points in One Day Auckland - Full Day</td>
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### PAYMENT DETAILS:
All registrations must be paid in full prior to the date of the event. All prices include GST and P&H.

- Electronic Funds Transfer: Account Name: Legalwise Seminars Pty Ltd. Account Number: 12-3252-0046367-00. Please email your remittance advice to accounts@legalwiseseminars.co.nz and include the delegates name as reference in EFT.
- Cheque Please find enclosed a cheque for $_________made payable to Legalwise Seminars Pty Ltd ABN 40 049 329 749 ACN 102 742 843 New Zealand IRD 113-656-271

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