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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 Lawyers Stream, knowledge and practical matters delivered by our hand picked expert panel. Come for the day and earn 10 points or select just those sessions

the 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.

STREAM A: COMMERCIAL PRACTICE

SESSION ONE 7.30am to 9.30am (Choose Stream A or B) **\$255**

PROPERTY, FINANCE AND NFP UPDATE FOR THE COMMERCIAL LAWYER 152NZW01A

» Chair: **Peter Ratner**, Partner, Crengle, Shreves & 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 Finance 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

- An overview of the new legislation
 - Regulated products and offers
 - New exemptions
 - Scheme governance
 - Market services licensing
 - Implementation timetable and transition
- » Presented by **Don Holborow**, Partner, Simpson Grierson

» **LEARNING OBJECTIVES – YOU WILL:**

- Obtain a general update on important recent developments in property law
- Hear about the new legislative requirements for NFP's as well as consideration of recent cases
- Learn from the expert about the regulation of crowd funding, important changes for raising funds for start-ups, SME's and NFP's

OR

SESSION TWO 9.45am to 12.45pm (Choose Stream A or B) **\$405**

EMPLOYMENT LAW 152NZW01C

» Chair: **Greg Cain**, Managing Partner, Kensington Swan

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 T aylor**, 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 other obligations
 - Maintaining control and oversight: from terms of reference to the outcome
 - Preserving legal professional privilege during investigations
 - Managing the interface with other agencies' investigations, such as the Police, WorkSafe and professional bodies
- » Presented by **Hamish Kynaston**, Partner, Buddle Findlay

Alcohol and Drug Testing

- Determining when workers are impaired/ unsafe to work with: Where does the line sit?
 - Random testing
 - Suspicious circumstances
 - Bringing in an external investigator
- » Presented by **Geoff Davenport**, Partner, McBridge Davenport James

» **LEARNING OBJECTIVES – YOU WILL:**

- Enhance your practice as an employment lawyer by hearing about important and leading cases and legislative changes
- Deepen your knowledge of workplace investigations
- Learn about the finer points of drug and alcohol testing in an employment context

OR

SESSION THREE 1.15pm to 4.15pm (Choose Stream A or B) **\$405**

CONTRACTS: DEVELOPMENTS AND PRACTICE 152NZW01E

» Chair: **Derek Johnston**, Barrister, Thorndon Chambers

Recent Developments in Contract Law

- Misrepresentation
 - Remedies for breach of contract
 - Issues from *Wilson Parking v Fanshawe (NZCA)*: promissory estoppel
- » Presented by **Dan Parker**, Partner, Parker and Associates

Contracts in the Digital Space

- Online terms and conditions and online protection
 - The paperless contract: any restrictions?
 - Privacy and online contracts
- » Presented by **Bruno Bordignon**, Partner, Duncan Cotterill

Consumer Contracts: Unfair Contract Terms and Other (Mis)Leading Legal Issues

- Unfair terms in consumer contracts
 - Identifying standard form consumer contracts
 - Common problem areas
 - Roles of the Courts and the Commerce Commission
 - Misleading conduct in light of *Godfrey Hirst NZ Ltd v Cavalier Bremworth Ltd*
- » Presented by **Tim Sherman**, Senior Associate, Chapman Tripp

Outsourcing Agreements: The Legal Issues

- Overview of key issues
 - Practical options for managing issues, with a particular focus on
 - Managing change and managing underperformance
 - Consequences of termination
- » Presented by **Jane Parker**, Minter Ellison Rudd Watts

» **LEARNING OBJECTIVES – YOU WILL:**

- Benefit from an analysis of recent decisions that impact on the way you negotiate and create commercial documents
- Be guided through the key considerations when preparing outsourcing agreements and online contracts
- Learn about unfair and misleading terms and ensure you can both identify them and draft documents to comply with the new consumer and unfair terms legislation

OR

SESSION THREE 4.30pm to 6.30pm (Choose Stream A or B) **\$255**

TRUSTS, FAMILY AND WILLS 152NZW01G

» Chair: **Lance Pratley**, Principal, Lance Pratley Law

The Clash between Family Law and Estate Planning

The session will outline the approach taken by the Family Court to determine matters between couples who have separated and how this impacts on the ability of parents and others to structure to implement succession plans.

This will include:

- Family trust distributions and beneficiary entitlements
- Beneficiary loan accounts;
- Competing priorities of spouses and other beneficiaries in the Family Court after death

» Presented by **Jacinda Rennie**, Partner, McWilliam Rennie and **Amy O'Mally**, Solicitor, Michael Chung Law Office

Trustees and Mental Incapacity: Avoid Messy Problems

This presentation will consider what to do when a trustee is no longer competent to act as a trustee

- Can you solve these problems without going to court?
 - Can trust deeds be designed to avoid these problems?
 - Can we retro-fit our old trusts?
 - How do you fix up land titles if LINZ refuses to accept EPA's in these circumstances?
- » Presented by **Chris Kelly**, Partner, Greg Kelly Law

» **LEARNING OBJECTIVES – YOU WILL:**

- Delve into the complexities of the interplay between family law and estate planning
- Canvas the vexed issue of capacity in the context of trustees

OR

STREAM B: GOVERNMENT PRACTICE

ADMINISTRATIVE LAW 152NZW01B

» 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

- 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
 - How are issues about statutory powers dealt with in judicial review?
 - Steps you can take to better ensure you act within those powers
- » Presented by **Francis Cooke QC**, Thorndon 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 152NZW01D

» Chair: **Jason McHerron**, 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
 - Structuring a statement of reasons to ensure the legislative requirements are met including relevant facts, findings on material questions of fact and reasons for decision
- » Presented by **Rachael Schmidt-McCleave**, Barrister, Stout St Chambers

Procedural Fairness: Getting it Right

- Compliance with statutory procedures
 - Consultation and natural justice
 - Unbiased decision making
 - Case studies and practical pitfalls
- » Presented by **Elana Geddis**, Harbour Chambers

How to Identify Ultra Vires Decisions

- Understanding the various types 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 Orpin**, 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 fall foul of the rules in relation to ultra vires

CURRENT LEGAL ISSUES FOR GOVERNMENT LAWYERS 152NZW01F

» Chair: **Liesle Theron**, Partner, Meredith Connell

Ensuring Your Government Department Complies with the Health and Safety Reforms

- Overview of the new legislation
 - Criminal liability: 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 Clere

Legal Issues Affecting Public Inquiries

The session will cover the legal foundations of different types of inquiry, and practical issues relating to gathering and providing evidence, privilege, and natural justice. It will highlight key considerations for government lawyers in relation to:

- Conducting investigations
 - Providing legal advice in support of an inquiry or investigation
 - Representing parties in inquiries and investigations
- » Presented by **Polly Pope**, Partner, and **Catherine Marks**, Consultant, Russell McVeigh

Crown Proceedings and Public-Interest Immunity (PII)

- What is PII and how does it operate?
 - How is PII asserted and contested?
 - The test for PII
 - Types of content that may enliven a PII claim over a document
- » Presented by **Gregor Allen**, Barrister, Port Nicholson Chambers

» **LEARNING OBJECTIVES – YOU WILL:**

- Understand and apply the new health and safety reforms
- Consider the legal issues affecting public inquiries, particularly in light of the *Inquiries Act 2013*
- Improve your understanding of Public Interest Immunity

PROCUREMENT AND TENDERING 152NZW01H

» Chair: **Leisle Theron**, Partner, Meredith Connell

Tender Evaluation: Getting it Right

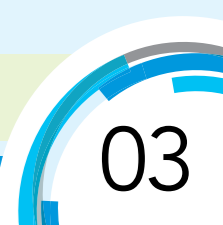
- Evaluation in the procurement lifecycle
 - Competitive dialogue
 - Setting evaluation criteria
 - Selecting evaluation teams
 - Producing evaluation plans
 - Financial evaluation methods
 - Assessing value for money
 - Preparing evaluation reports
- » Presented by **Mei Fern Johnson**, Partner, Russell McVeagh

Competitive Procurement and Challenging the Successful Tender

- What are the rules and when do they apply?
 - Grounds for challenge
 - Available remedies
 - Timing of challenges
 - Process
- » Presented by **Peter Castle**, Barrister, Clifton Chambers

» **LEARNING OBJECTIVES – YOU WILL:**

- Gain insights into tender evaluation and challenging a successful tender



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 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 our practice. Book today and take advantage of our flexible, convenient 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 (Choose Stream A or B) **\$255**

PROPERTY AND COMMERCIAL LEASING 152NZC01A

» Chair: **David Lang**, Partner, Saunders & Co

Recent Documentation Trends in the Public and Private Sector: Agreements to Build and Lease

- Key clauses and issues
- Integration of fit-out into base build and MCHF
- Building performance specifications and milestones
- Practical completion and liability for delay

» Presented by **Michael Scannell**, Partner, Simpson Grierson

Commercial Leasing in a Seismic Country: Issues for Commercial Leases

- New Building Code Standards
 - Can landlords insist on strengthening works during the lease term?
 - Compensation for interference with quiet enjoyment?
 - Are OH&S issues relevant? Landlord and tenant liability
- Insurance: issues to watch for with insurance excesses/ liability for premiums.

» Presented by **Kris Morrison**, Partner, Parry Field Lawyers

PPSA for Property Lawyers

- Commercial leasing and the PPSA
 - Fitout and incentive arrangements
 - Abandoned chattels
 - Competing claims
- Conveyancing and the PPSA (residential and commercial)

» Presented by **Karen Overend**, Partner, Duncan Cotterill

» **LEARNING OBJECTIVES: YOU WILL:**

- Learn recent documentation trends in agreements to build and lease
- Be aware of the impact on leases to counter seismic activity
- Understand PPSA and commercial leasing

OR

LITIGATION PRACTICE SKILLS 152NZC01B

» Chair: **Peter Woods**, Partner, Anthony Harper

Mastering Interlocutory Applications

- Importance of identification of relief sought
- Factors influencing exercise of discretion
- Supportive evidence: what court requires
- The hearing: approach to oral submissions
- Protecting client's position where decision to application is adverse

» Presented by **Anthony Hughes-Johnson QC**

The Importance of Written Advocacy

This session will examine some of the pitfalls, and the value of good writing for the courts.

- Framing effective written submissions
- How do you make sure the judge reads them? How do you 'talk' to them?

» Presented by **Nicholas Davidson QC**, Canterbury Chambers

Fool For A Client? The Trials and Tribulations of Lay Litigation

- The different types of lay litigant
- The challenges posed by litigating against a litigant in person
- Lay litigants in civil proceedings
- Lay litigants in civil proceedings
- Suggestions for dealing with lay litigants

» Presented by **Marcus Elliott**, Barrister, Canterbury Chambers

» **LEARNING OBJECTIVES: YOU WILL:**

- Ensure your interlocutory applications are effective
- Learn to ensure that your written advocacy/ submissions placed before the court are effective tools in successful litigation
- Understand the best way to deal with lay and unrepresented litigants

SESSION TWO 9.45am to 12.45pm (Choose Stream A or B) **\$405**

COMMERCIAL AND CORPORATE LAW UPDATE 152NZC01C

» Chair: **Geoff Brodie**, Barrister, Endeavour Chambers

Key Principles of Construction and Building Contracts

- Refresher on legislation changes
- *Construction Contracts Act*
- Breach of contract
- Right to *Elect: Watts & Hughes v Complete Site Works*

» Presented by **Susan Dwight**, Partner, Cavell Leitch

Directors Duties and Liabilities: Liquidations and Insolvency

- 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

Shareholder Agreements: A Platform for Success

- The consensus approach
- The challenges
- A frame-work for problem solving

» Presented by **Hugh Lindo**, Partner, Simpson Grierson

Consumer Law Reform Update

- The new unfair contract terms regime
- Unsubstantiated representations
- Responsible lending: consumer credit amendments
- What else has changed?
- What should businesses be doing?

» Presented by **Chris Dann**, Anthony Harper

» **LEARNING OBJECTIVES – YOU WILL:**

- Consider some of the key principles of construction and building contracts
- Current exposures for directors of insolvent companies
- Some challenges for shareholder agreements
- Update on the Consumer Law Reform

OR

INSURANCE ISSUES UPDATE 152NZC01D

» Chair: **Richard Raymond**, Barrister, Canterbury Chambers

Damages in Multiple Events Following Ridgecrest: Where to from here?

- The insurance framework: the big picture (insurers, reinsurers and risk transfer)
 - The insurance contract: a complex document
 - Promise to indemnify: How it works and what it means
 - Typical reinstatement of amount clause
- Evidence of damage per event:
 - Analytical assessment/ modeling
- Damaged or destroyed property and the measure of indemnity

» Presented by **Katherine Smith Dedrick**, Partner, Childress Duffy

Discharge of Claims

- Insurers commonly "condition" payment on the signing of a discharge
- Arguments to set aside the discharge
 - Discharge in breach of the policy
 - Breach of the *Fair Insurance Code*, *Fair Trading Act* or *Contractual Mistakes Act*
 - No consideration given

» Presented by **Stephen Rennie**, Partner, Rhodes & Co

Claim Quantification in Different Circumstances

- What amounts should be included?: *Reoair vs Rebuild*
- What to do when remediation is not legally possible

» Presented by **Grant Shand**, Principal, Grant Shand Barristers and Solicitors

» **LEARNING OBJECTIVES: YOU WILL:**

- How to prove damages in multiple events following Ridgecrest
- Latest on the discharge of Claims
- How to assess the quantification of claims in different circumstances

SESSION THREE 1.15pm to 4.15pm (Choose Stream A or B) **\$405**

WILLS, ESTATE AND TRUSTS LAW UPDATE 152NZC01E

» Chair: **Dale Lester**, Barrister, Canterbury Chambers

Update on Wills and Estate Administration

- The *Wills Act 2007*: topical issues and reminders
- Trust accounting procedures: best practice
- Recognising conflicts and potential for conflicts
- Costs and complaints

» Presented by **Michael O'Regan**, Partner, and **Geoff Falloon**, Partner, Cameron & Company

Estate Planning Pitfalls and Blended Families

- Capacity
- Life interest wills
- How to provide certainty in estates
- Ensuring the estate meets the wishes of the deceased
- Pitfalls to be aware of with blended families

» Presented by **Tim Black**, Partner, Anderson Lloyd

Trusts Issues and Rural Succession Planning Issues

Part A: Governance Issues: Role of the Trustee

- An overview of trustee duties
- Role of the independent professional trustee
- Conflicts within the Trust relationship: how to resolve them
- An update on the rights and obligations regarding disclosure to beneficiaries

Part B: Trust and Rural Planning Issues

- Are trusts still relevant for farming clients?
- Succession planning through the client's will
- Claims by the client's non-farming children
- A flexible ownership model

» Presented by **Peter Eastgate**, Partner and **Maria Young**, Partner, Cavell Leitch

» **LEARNING OBJECTIVES: YOU WILL:**

- Understand some of the issues with estate planning pitfalls and blended families
- Explore some of the issues around the governance for Trustees in their role.
- Be updated with the latest issues for Trusts in Rural Succession

OR

WORKPLACE, EMPLOYMENT AND OH&S 152NZC01F

» Chair: **David Appleton**, Member, Employment Relations Authority

New Health and Safety Reform Act: Duties and Liabilities under the Legislation

- Overview of the *Health and Safety Reform Act*
- Personal duties and liabilities of; PCBUs; directors and officers; in-house counsel; workers and voluntary boards and school boards
- Penalties and insurance

» Presented by **Glenn Jones**, Barrister, Bridgeside Chambers

Employment Issues Arising from Restructuring

- Section 103A and its application to redundancies
- The obligation of good faith
- Practical legal advice for clients
- What are the latest remedies
- Recent cases

» Presented by **Andrew Shaw**, Partner, Lane Neave

Employment Relations Act Amendment Refresher

This seminar will focus on imminent amendments to the *Employment Relations Act 2000*, including the following key amendments to 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 **Tim McGinn**, Barrister & Solicitor

» **LEARNING OBJECTIVES – YOU WILL:**

- Review the new *Health and Safety Reform Bill* and *Employment Relations Act Amendment*
- Understand the impact and potential liability on officers
- Review the traps for employers when considering restructuring
- Understand the option of investigations for bullying and harassment claims

SESSION FOUR 4.30pm to 6.30pm (Choose Stream A or B) **\$255**

RURAL LAW: CURRENT ISSUES 152NZC01G

» Chair: **Mark Tavendale**, Director, Tavendale and Partners

Overseas 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

Water Take and Discharge Issues

- Resource consents: the process, things to be aware of
- Water allocation in Canterbury: How are we tracking?
- Nutrient management in Canterbury: What lies ahead?

» Presented by **Jen Crawford**, Partner, Anderson Lloyd Lawyers

» **LEARNING OBJECTIVES: YOU WILL:**

- Learn the key provisions of OIA in rural transactions
- Understand the issues with Water take and discharge in water allocation.

OR

FAMILY LAW IN PRACTICE 152NZC01H

» Chair: **His Honour Judge RJ Murfitt**, Judge of Family Court, District Court of New Zealand

Claims Above and Beyond the Grave

- Who? Which Act? What? How Much?
- *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

- Current law
- Hague Convention:
 - How the convention works
 - Pitfalls and traps for the unwary

» Presented by **Stephen van Bohemen**, Barrister, Atticus Chambers

Family Dispute Resolution: A Practical Review of the Regime after 10 Months in Operation

- Guidelines on the process and procedures
- Understanding how they work together
- The appropriateness of mediation
- Understanding the available alternatives and when to use them
- What are parties' entitlements and funding?
- Setting the groundwork for effective mediation

» Presented by **Paul Muir**, Counsellor and Mediator

» **LEARNING OBJECTIVES – YOU WILL:**

- Gain a practical review of the COCA Regime 10 months after its implementation
- Understand how the courts are viewing post separation issues
- Get a refresher on the current law on relocation within and outside New Zealand



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some of Auckland'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 our practice. Book today and improve your practice across the board.

SESSION ONE 7.30am to 10.30am \$405
(Choose Stream A or B)

COMMERCIAL LEASING ISSUES REVIEW 153NZA02A

» Chair: **James Blackie**, Director, Thompson Blackie Biddles

Tailoring 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 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

- OH&S issues
- 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
 - Get an update on issues arising following termination and expiration of a lease
 - Understand due diligence under a lease upon purchase
 - Be aware of the impact on leases to counter seismic activity

OR

FAMILY LAW ISSUES 153NZA02B

» Chair: **Alan Goodwin**, Barrister, Eden Street Chambers

A Practical Review of the COCA Regime after 10 Months in Operation

Part A: Family Disputes Resolution

- Guidelines on the process and procedures
- Understanding the available alternatives and when to use them
- Setting groundwork for effective mediation
- » Presented by **Deborah Sim**, Barrister, Accredited Family Specialist Mediator

Part B: In Court Procedures Under the COCA Regime

- Reflections on the COCA Regime as its anniversary approaches
- Helping clients work through the procedures and preparing affidavits
- Your obligations if you are advising on day-to-day care or contact
- A role for lawyers: 'without notice' applications
- Costs contribution orders: What will your clients be expected to pay?
- » Presented by **The Hon. Judge David Burns**, District Court of New Zealand and **Kirsty Swadling**, Barrister, Stella Chambers

Post-Separation Adjustments

- Occupation adjustment
- Interest: What is appropriate discretionary rate?
- Recent cases and developments
- » Presented by **Geoff Harrison**, Barrister, Southern Cross Chambers

Relocation Within and Outside New Zealand

- Current Law
- Hague Convention: how the convention works
- » Presented by **Colin Pidgeon QC**

- » **LEARNING OBJECTIVES – YOU WILL:**
- Gain a practical review of the COCA Regime 10 months after its implementation
 - Understand how the courts are viewing post separation issues
 - Get a refresher on the current law on relocation within and outside New Zealand

SESSION TWO 10.45am to 1.45pm \$405
(Choose Stream A or B)

COMMERCIAL AND CORPORATE LAW IN PRACTICE 153NZA02C

» Chair: **Dermot Ross**, Principal, Dermot Ross & Co

Tax Avoidance Considerations and Commercial Transactions

- What you need to know when drafting commercial documents
- Income tax and GST tax issues
- » Presented by **Tori Sullivan**, Director, Ernst & Young Law

Consumer Law Reform Update

- Consumer Law Reform Bill
- Key changes to unfair contract terms
- Impacts on practitioners
- » Presented by **Andrew Matthews**, Partner, Matthews Law

Shareholder Agreements: How to Avoid Disputes

- Tricks to tailor shareholder agreements for specific circumstances
- Dispute resolution
- Common problems and recent cases
- » Presented by **Graeme Switzer**, Partner, Duncan Cotterill

Financial Markets Conduct Act: Raising Capital

- Regulated vs. non-regulated offers
- Innovation: crowd funding and other options
- Going retail: product disclosure, register entries and ongoing disclosure
- Liability and due diligence issues
- » Presented by **Jeremy Muir**, Partner, Minter Ellison Rudd Watts

- » **LEARNING OBJECTIVES – YOU WILL:**
- Understand the practical impact of the latest tax avoidance initiatives and how they should be incorporated into your commercial documents
 - Be brought up to date on the Consumer Law Reform and the impact on unfair contract terms
 - Understand how best to draft Shareholder agreements to avoid future disputes

OR

EMPLOYMENT, WORKPLACE AND OH&S UPDATE 153NZA02D

» Chair: **Dr Bill Hodge**, Professional Teaching Fellow/Law, 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 duties that will be placed on officers and the potential liabilities for officers.

» Presented by **John Rooney**, Partner, Simpson Grierson

Employment Issues Arising from Restructures

- Processes and procedures: know and avoid the traps
- Dismissal: getting the process right
- What to do when a claim of unfair dismissal arises?
- 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 Guidelines
- Internal or external investigations:
 - Running a 'fair and reasonable' investigation
 - advantages and disadvantages to what you choose
- » Presented by **Penny Swarbrick**, Partner, Swarbrick Beck Mackinnon

Employment Relations Act Amendment Refresher

- This seminar will focus on imminent amendments to the *Employment Relations Act 2000*, including the following key amendments to 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 Schirnack**, Partner, LangtonHudsonButcher

- » **LEARNING OBJECTIVES – YOU WILL:**
- Get an overview of the Health and Safety Reform Bill and Employment Relations Act Amendment
 - Understand the impact and potential liability on officers
 - Review the traps for employers when considering restructuring
 - Understand the option of investigations for bullying and harassment claims

SESSION THREE 2.15pm to 6.30pm \$405
(Choose Stream A or B)

WILLS, TRUSTS AND SUCCESSION PLANNING LAW 153NZA02E

» Chair: **Richard Gay**, Barrister

Problem of the Elderly: Incapacity Issues for Wills, Trust and Powers of Attorney

- Principles explored
- Recent cases
- » Presented by **Catherine Atchison**, Partner, Martelli McKeeg

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 Auckland

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 with blended families
- » Presented by **Tammy McLeod**, Partner, Davenport Harbour Lawyers

What's Happened to Certainty of Intention to Establish a Trust?

- Has the settlor parted with or relinquished the beneficial interest? The historical position
- The effect of the abolition of estate duty on modern New Zealand trust drafting
- The Law Commission's proposal for certainty of intention
- Sham and illusory trusts: Can they be approached in another way?
- Recent cases considered
- » Presented by **John Brown**, Barrister, Trust Asset Planning

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

OR

PRACTICAL LITIGATION SKILLS 153NZA02F

» Chair: **Edward Scorpie**, Partner, Chapman Tripp

Mastering Evidence

- Expert Evidence
- Selecting and briefing experts
- Pitfalls to avoid
- Privilege and waiver of privilege
- Without prejudice communications
- » Presented by **Jenny Cooper**, Barrister, Shortland Chambers

Dealing with the Lay Litigant

- When lay litigant become vexatious
- Compliance with requirements for pleadings, discovery and other interlocutory
- The trial
- » Presented by **Bruce Gray QC**, Shortland Chambers

Mastering Interlocutory Applications

- The importance of preparation
- Oral submission
- Supportive evidence:
 - What does the court require?
- Preparing to avoid potential objections
- » Presented by **Sandra Grant**, Barrister, Shortland Chambers

The Importance of Written Advocacy: A View From the Bench

This session will examine some of the pitfalls, and the value, of good writing for the courts.

- Framing effective written submissions:
 - Clear
 - 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 advocacy
 - Receive practical guidance to bring successful interlocutory applications in your practice

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