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The University of Melbourne
Victoria 3010

Fax: 03 8344 5285
Email: j.peters@unimelb.edu.au

For any queries:

please call Josephine Peters on 03 8344 5281

Send registration form and payment by Tuesday 22 August 2006 for the Sydney seminar and Monday 28 August 2006 for the Melbourne seminar to: Josephine Peters, Faculty of Law, The University of Melbourne, Vic 3010

No refunds unless cancellations notified by Tuesday 22 August 2006 (Sydney seminar) and 28 August 2006 (Melbourne Seminar).

Victorian & NSW Solicitors: If this particular educational activity is relevant to your immediate or long term needs in relation to your professional development and practice of law, then you should claim one unit for each hour of attendance, refreshment breaks not included.

Victorian Bar Members: This lecture is a Victorian Bar accredited Compulsory Continuing Legal Education (CLEF) activity and carries one point.

Information about the Centre for Corporate Law and Securities Regulation is available at <http://cclsr.law.unimelb.edu.au>

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SPEAKER DETAILS

Kirsten Grey: is Legal Manager with BHP Billiton. The legal group handles a wide variety of matters for BHP Billiton, including governance and securities issues, minerals and petroleum matters, mergers and acquisitions, treasury operations, litigation, operational and general contractual matters arising on a daily basis from a number of resource and petroleum assets across Australia, human resources issues and matters involving health, safety and environmental performance. Issues of legal professional privilege arise in a variety of ways in such a diverse practice.

Emilios Kyrou: is a senior partner with Mallesons Stephen Jaques specialising in insurance law (particularly directors' and officers' and professional indemnity insurance), government law and general litigation. His practice includes advising on legal professional privilege, corporate indemnities, corporate governance, document retention, and legal risk management. He has advised a large number of companies on legal professional privilege, including changes to organisational structure, employment contracts and lines of communication, to enhance the prospects of attracting and retaining privilege. He has presented numerous papers and published various articles on privilege. Emilios is a co-author of "Lewis & Kyrou's Handy Hints on Legal Practice" (3rd ed, 2004) and is a practising notary.

Stephanie Martin: is Deputy Commissioner of aggressive tax planning which focuses on the identification and treatment of aggressive tax planning arrangements and is responsible for the implementation of the new promoter penalties legislation. She chairs the Widely Based Settlement Panel and is a member of the General Anti-Avoidance Review Panel. She has qualifications in law and science. Stephanie's career in the Taxation Office has included senior roles in policy and legislation, international tax, business tax reform and large business compliance.



THE UNIVERSITY OF
MELBOURNE

CCLSR
CENTRE for
CORPORATE
LAW and
SECURITIES
REGULATION

SEMINAR

SYDNEY & MELBOURNE

LEGAL PROFESSIONAL PRIVILEGE

**RECENT DEVELOPMENTS AND THEIR
IMPLICATIONS FOR COMPANIES AND
ADVISERS**

24 August 2006 - SYDNEY
30 August 2006 - MELBOURNE

**Centre for Corporate Law and Securities
Regulation - University of Melbourne**

Legal professional privilege is a major issue for in-house lawyers, regulators and professional advisers to companies. There have been many important recent developments in the area of legal professional privilege which have implications for companies and their advisers. The scope and reach of legal professional privilege has been under attack through legislative changes and recent court judgments, posing challenges to the legal profession and in-house counsel in particular when advising on complex issues.

This seminar brings together key speakers (from the ATO and a major company and law firm) to address:

- *the essential requirements of legal professional privilege as they apply to in-house lawyers*
- *key trends and likely future developments*
- *how to manage legal professional privilege from an in-house counsel's perspective*
- *tax office practices and policies relating to legal professional privilege*

Dates

24 August 2006 - Sydney
30 August 2006 - Melbourne

Time

5.30pm - 7.00pm

Venues

Sydney Seminar

Mallesons Stephen Jaques
Level 60
Governor Phillip Tower
1 Farrer Place
Sydney 2000

Melbourne Seminar

Mallesons Stephen Jaques
Level 50
600 Bourke Street
Melbourne 3000

Cost: \$90 + \$9 GST = \$99

SPEAKERS

Kirsten Grey

BHP Billiton

Emilios Kyrou

Mallesons Stephen Jaques

Stephanie Martin

Australian Taxation Office

Convenor

Professor Ian Ramsay, Director,
Centre for Corporate Law & Securities
Regulation - University of Melbourne

TOPICS

Kirsten Grey: will present an in-house perspective on legal professional privilege.

Emilios Kyrou: will outline the key requirements of legal professional privilege as they apply to in-house lawyers, and discuss key trends and likely future developments. Following a spate of cases in the last few years in which claims for privilege were rejected because of findings of lack of independence of in-house lawyers, 2006 has seen less negative sentiment against in-house lawyers in the case law. Nevertheless, claims for privilege continue to be rejected by courts for a variety of reasons and this trend is likely to continue.

Stephanie Martin: will describe Tax Office practices and policies including areas of legal professional privilege where there have been recent decisions and/or the law is still vague or ambiguous. The most notable issues are severance, electronically stored information, third parties, copies and improper purpose. All of these can create major difficulties for regulatory authorities unless clear and reasonable processes are in place for dealing with disagreements about the extent of the privilege versus the extent of the access and information-gathering powers. Stephanie will describe the Tax Office's various approaches to the many conflicts that can arise in the course of audits or field work.

REGISTRATION FORM

LEGAL PROFESSIONAL PRIVILEGE

I will attend the Sydney seminar
I will attend the Melbourne seminar
24 August 2006 - Sydney
30 August 2006 - Melbourne

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