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For any queries:

please call Josephine Peters on 03 8344 5281

Send registration form and payment by Tuesday 17 July 2007 for the Melbourne seminar and Friday 17 August 2007 for the Sydney seminar to:

Josephine Peters
Faculty of Law
The University of Melbourne
Victoria 3010

No refunds unless cancellations notified by 17 July 2007 (Melbourne seminar) and 17 August (Sydney 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 (CLE) activity and carries one point

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Speakers

George Durbridge

Special Advisor, Freehills;
former Counsel, Takeovers Panel

Norman O'Bryan SC

Victorian Bar

Professor Cheryl Saunders AO

Melbourne Law School

Convenor

Professor Ian Ramsay, Director

Centre for Corporate Law & Securities Regulation
The University of Melbourne

Dates

Seminar 1

19 July 2007 – Melbourne
21 August 2007 – Sydney

Times

5.30pm – 7.15pm

Refreshments will be served afterwards

Venues

Melbourne Seminar

Freehills
Level 42
101 Collins Street
Melbourne 3000

Sydney Seminar

Freehills
Level 32
MLC
19 Martin Place
Sydney 2000

Cost:

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



THE UNIVERSITY OF
MELBOURNE

CCLSR
CENTRE for
CORPORATE
LAW and
SECURITIES
REGULATION

SEMINAR
MELBOURNE AND SYDNEY

The Takeovers Panel
Consequences of the Alinta
Litigation

Melbourne
19 July 2007

Sydney
21 August 2007

Centre for Corporate Law and Securities Regulation The University of Melbourne

On 20 April 2007, the Full Federal Court handed down its decision in Australian Pipeline Ltd v Alinta Ltd. In a 2-1 decision, the court struck down one of the grounds upon which the Takeovers Panel makes declarations of unacceptable circumstances (on the basis that the Panel was, in breach of the Constitution, exercising judicial power) and cast doubt on the other ground upon which the Panel makes such declarations.

It has been said that the decision has rendered uncertain the future operations of the Panel. The decision has also enlivened strong debate on the effect of the separation of powers doctrine on the powers of administrative bodies. The Attorney General has applied for special leave to the High Court to appeal the Full Federal Court decision. Meanwhile, the Takeovers Panel has continued to receive and consider applications, albeit on a more limited basis than before the court decision.

The decision of the Full Federal Court has generated significant controversy and debate. Newspaper headlines following the decision included "Takeovers Panel in doubt as court overrules it twice", "Call to fix takeover turmoil", and "Government action needed to resolve Takeovers Panel problem". In a joint media release published shortly after the court decision, the Commonwealth Treasurer and the Commonwealth Attorney General stated that "The Takeovers Panel plays a vital and integral role in resolving takeovers-related disputes during the bid period. It provides interested parties with an efficient means of resolving disputes without costly and time-consuming litigation.The decision undermines the objective that the Takeovers Panel be the primary forum for the resolution of takeovers disputes."

This seminar brings together leading speakers to examine the implications of the Full Federal Court decision for the Takeovers Panel from a range of different perspectives.

Speaker Details

George Durbridge (both seminars): is Special Advisor at Freehills. He recently resigned from the Takeovers Panel executive, where he was founding Legal Counsel and acted in that capacity for 6 years. Prior to his time at the Panel, George was founding General Counsel for the Australian Securities and Investments Commission (now ASIC) from 1991 until 1999. Before that, George was a Principal Legal Officer with the National Companies and Securities Commission. He was a member of ASIC's Regulatory Policy Group from its inception and a consultant to the Corporate Law Simplification Unit on takeovers and prospectus issues.

Norman O'Bryan (both seminars): is a leading commercial and company law barrister in Melbourne, having previously been a partner of Minter Ellison. He was appointed Senior Counsel in 2000. Norman is a part-time member of the Takeovers Panel, member of the Law Council of Australia, the Australian Bar Association and the International Bar Association, and has written numerous legal articles and comments, including the chapter "Securities Legislation" for the Laws of Australia. He regularly appears as Senior Counsel in all State Supreme Courts, the Federal Court and the High Court of Australia. Between 2001 and 2003, Norman was engaged by the Commonwealth as Senior Counsel Assisting the HIH Royal Commission, which inquired into and reported on the largest corporate collapse in Australian history.

Cheryl Saunders (both seminars): has held a personal chair in the Faculty of Law at the University of Melbourne since 1986 and is a Fellow of the Academy of Social Sciences in Australia. She has specialist interests in constitutional law and comparative constitutional law, including federalism and intergovernmental relations and constitutional design and change. Other positions presently held by Cheryl include; President of the International Association of Constitutional Law and of the International Association of Centres for Federal Studies. She is an Honorary Professor at the University of Capetown. In 2006 she was the Arthur Goodhart Visiting Professor of Legal Science at the University of Cambridge and a visiting professor at the University of Copenhagen. She has been enseignante invitée at Université Paris 11, Pantheon-Assas for the past 8 years. In addition to her research and teaching activities, Cheryl is active in public debate on constitutional matters in Australia and internationally. In 1994, Cheryl was made an officer of the Order of Australia, for services to the law and to public administration. She was awarded the Centenary Medal in 2003 and an honorary doctorate from the University of Cordoba, Argentina in 2005. In 2007, she was appointed a laureate professor of the University of Melbourne, one of the University's highest honors.

The Takeovers Panel Consequences of the Alinta Litigation

Registration Form

I will attend the Melbourne Seminar

I will attend the Sydney Seminar

Melbourne - 19 July 2007

Sydney - 21 August 2007

Delegate 1

Name:.....

Email Address:.....

Postal Address:.....

Company:.....

Telephone (BH):.....

Delegate 2

Name:.....

Email Address:.....

Postal Address:.....

Company:.....

Telephone (BH):.....

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