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Convenient
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sessions

Retirement Village Law Intensive

Essential legal and industry
updates in Australia's fastest
growing sector

22 October 2008
Sydney

24 October 2008
Brisbane



Don't miss this opportunity to:

- Understand the implications of the changes to the **Retirement Village Law Amendment Bill 2008 NSW and QLD 2006**
- Refresh your knowledge of **taxation and GST issues**
- Examine key issues in relation to **entering and exiting retirement village contracts** for prospective residents
- Find out the essentials in **structuring funding** for retirement villages
- Examine the key **legal issues for retirement village operators**

Register Today! Ph: 1800 772 772
or visit www.lexisnexis.com.au/pd

Expert speakers include:

David McElhone, Partner, Minter Ellison
Annie O'Connor, Consultant, Phillips Fox
Robin Lyons, Partner, Minter Ellison
Wayne Credig, Manager, Adventist Aged Care
Simon Owen, Chief Executive Officer, Aevum
Lachlan Wolfers, Director, KPMG Taxation
Lois Towart, Manager – Health and Aged Care,
Jones Lang LaSalle
Andrew O'Leary, Senior Manager,
Business Banking, Nab
Tim Longwill, Partner, McCullough Robertson
Trevor Cork, Principal, McPhee Kelshaw
Garry Pritchard, Partner, Emil Ford and Co
Andrew Carins, General Manager, Renaissance Group

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Sydney: 22 October 2008

PART A

- 8.30 **Part A Registration**
- 9.00 **Opening remarks from the chair**
Taryn Hartley, Associate, McInnes Wilson Lawyers
- 9.10 **Evaluating the changes to the Retirement Village Law Amendment Bill 2008**
Evaluating the proposed changes to the Retirement Village Amendment Bill 2008 including:
- New definition of capital gains
 - Settling – in period
 - Registration of retirement village land
 - Statutory change to certain in-going contributions
 - Liability of former occupants to pay recurrent charges
 - Assessing the impact of these changes
- David McElhone, Partner, Minter Ellison*
- 9.50 **Comparing different state legislation pertaining to Retirement Village Law and highlighting key issues when entering new markets**
- Pinpointing differences in approval processes
 - Evaluating notifications that have to be lodged in order to operate schemes in different states
 - Reviewing differences in cooling off periods and their impact
 - Outlining different requirements for prospective residents
 - Highlighting differences in disclosure requirements
- Taryn Hartley, Associate, McInnes Wilson Lawyers*
- 10.30 **Morning tea**
- 10.50 **How will changes to settling in/cooling-off period impact conveyancing**
- Outlining the fundamental elements of conveyancing
 - Ensuring co-ordination with the purchase and of the future tenants existing property
 - How have changes to the cooling off period in amendments to the Retirement Amendment Bill impacted
- Graham Rushforth, General Counsel, Atkinson Vindin Heazlewoods*
- 11.30 **Your essential guide to entering contracts for prospective residents**
- Entering into a contract – rights and obligations
 - Detailing inclusions for the contract
 - Utilisation of funds – who has control?
- Garry Pritchard, Partner, Emil Ford and Co*
- 12.10 **Examining key issues in relation to exiting retirement villages**
- Considering termination clauses and ensuring these are built into contracts
 - Analysing and outlining different fee structures
 - Minimising the financial impact on exiting villages for both the resident and the estate
 - Understanding re-sale rights and effectively handling the re-sale process
- Trevor Cork, Principal, McPhee Kelshaw*
- 12.50 **Networking lunch for speakers and delegates**

PART B

- 1.30 **Part B Registration**
- 2.00 **Operator perspective – examining the key legal issues**
- Effectively dealing with an incoming residents lawyer
 - Managing the legal issues associated with major acquisitions
 - Negotiating the buy back of common property in a strata title village
 - Dealing with a resident transferring from an Independent Living Unit to a Serviced Apartment
- Simon Owen, Chief Executive Officer, Aevum*
- 2.40 **Key tax and stamp duty issues for scheme operators**
- Outlining different tax implications of various structures – freehold v loan lease
 - GST issues through the lifecycle of a retirement village development
 - GST treatment of serviced apartments and aged care facilities
 - Implications of using charitable operators
 - Evaluating the impact of loan/leases on sale of the retirement village – CGT, GST and stamp duty explained
- Lachlan Wolfers, Director, KPMG Taxation*
- 3.20 **Afternoon tea**
- 3.50 **Understanding the capital growth potential of retirement villages**
- Considering what influences the value and capital growth potential of a retirement village
 - Assessing the impact of location and design
 - The impact of operator costs and other fees
 - Taking into account exit fee structures
 - Contrasting considerations which apply when valuing individual units
- Lois Towart, Manager – Health and Aged Care, Jones Lang LaSalle*
- 4.30 **Effectively structuring funding for retirement villages**
- Exploring funding options for available in the current economic climate
 - Understanding the financial parameters in place
 - Key differences in financing a new development versus the purchase of an existing scheme
 - Assessing which components are taken into account when assessing appropriate security
- Speaker to be advised*
- 5.10 **Closing remarks from the Chair**
- 5.15 **Close of conference**

Brisbane: 24 October 2008

PART A

- 8.30 **Part A Registration**
- 9.00 **Opening remarks from the chair**
Annie, O'Connor, Consultant, Phillips Fox
- 9.10 **Addressing the impact of changes from the implementation of amendments to the Retirement Villages Amendment Bill 2006**
- Developments in Retirement Village Law in Qld
 - Pinpointing issues that have arisen from changes including
 - Cooling off periods and exit fees
 - Reinstatement work
 - Updates on recent relevant cases highlighting issues that have arisen
- Robin Lyons, Partner, Minter Ellison*
- 9.50 **Comparing different state legislation pertaining to Retirement Village Law and highlighting key issues when entering new markets**
- Pinpointing differences in approval processes
 - Evaluating notifications that have to be lodged in order to operate schemes in different states
 - Reviewing differences in cooling off periods and their impact
 - Outlining different requirements for prospective residents
 - Highlighting differences in disclosure requirements
- Taryn Hartley, Associate – Taxation, McInnes Wilson Lawyers*
- 10.30 **Morning tea**
- 10.50 **Streamlining the sale and purchase process – essential conveyancing toolkit for legal practitioners acting for prospective retirement village residents**
- Understanding key issues in relation to the conveyancing process
 - Co-ordinating the sale and purchase process
 - Examining the details of cooling off
 - Termination of contracts
 - Refurbishing issues when vacating
 - Contractual issues that arise during tenancy
- Tim Longwill, Partner, McCullough Robertson*
- 11.30 **Examining key issues in relation to exiting retirement villages**
- Examining Termination clauses and ensuring these are built into contracts
 - Analysing different fee structures
 - Minimising the financial impact on exiting villages for both the resident and the estate
 - Understanding re-sale rights and effectively handling the re-sale process
- Michael Smith, Senior Associate, Minter Ellison*
- 12.10 **Discussion session: How has the growth in the ageing population impacted the Retirement Village industry in Australia**
- How has the ageing population impacted the growth in retirement villages in Australia
 - Assessing the competitive landscape and the consolidation of industry players

- Evaluating shifting market demand and meeting future expectations
 - Benchmarking growth against international developments
- This session lead by the Chair will provide an opportunity to discuss the key issues and provide a forum for questions and discussion.*
- Michael Smith, Senior Associate, Minter Ellison*
Tim Longwill, Partner, McCullough Robertson
Taryn Hartley, Associate – Taxation, McInnes Wilson Lawyers
Robin Lyons, Partner, Minter Ellison

12.50 **Networking lunch for speakers and delegates**

PART B

- 1.30 **Part B registration**
- 2.00 **Outlining key obligations in the operator – resident relationship**
- Managing information exchange between operator and resident
 - Outlining obligations of operators
 - Managing budgets for residents
 - Capital replacement vs maintenance
 - Obligations in relation to varying services and increasing charges
- Wayne Gredig, Manager, Adventist Aged Care and Andrew Carins, General Manager, Renaissance Group*
- 2.40 **Key tax and stamp duty issues for scheme operators**
- Outlining different tax implications of various structures – freehold v loan lease
 - GST issues through the lifecycle of a retirement village development
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 - Understanding the financial parameters in place
 - Key differences in financing a new development versus the purchase of an existing scheme
 - Assessing which components are taken into account when assessing appropriate security
- Andrew McLeary, Senior Manager Business Banking, NAB*
- 5.10 **Closing remarks from the Chair**
- 5.15 **Close of Conference**

Priority registration form

**4 easy ways
to register**

Phone: 1800 772 772
Fax: (02) 9422 2338
Online: www.lexisnexis.com.au/pd
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Retirement Village Law Intensive

Please complete sections A, B, C, D

Conference code: PD1518-QLD, PD1618-NSW CPD reference no: CPD532 ABN: 70 001 002 357

A Delegate 1 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Organisation: _____

Postal address: _____

Suburb Postcode State

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 2 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

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Delegate 3 details

Mr/Ms/Dr: _____
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B Please tick as many practice areas you work in which apply:

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This will help us keep you informed about topics relevant to your business needs.

CONFERENCE RESOURCES

- I am unable to attend but would like to purchase a set of conference papers for the Retirement Village Law Intensive: \$270.00 + GST = \$297.00

TEAM DISCOUNTS*

- Register a team of 3 for the Retirement Village Law Intensive at the same time, from the same organisation and receive a free pass for the 4th delegate.

* Early Bird, team discounts and any other discount cannot be taken concurrently

- Sydney Brisbane

C

Event Pricing (please tick your selection)

Early Bird Special* (register & pay before 10 September 2008)

- One day conference \$850 + GST = \$935.00

Standard Price (register & pay after 10 September 2008)

- One day conference \$950 + GST = \$1045.00

- Part A only \$495 + GST = \$544.50

- Part B only \$495 + GST = \$544.50

Who Should Attend?

- Lawyers acting for Retirement Village developers, owners, operators and residents
- Property and conveyancing lawyers
- Retirement Village Scheme developers, owners and operators
- Property investors and developers
- Financiers, Lenders and Valuers

D Payment details Payment is due upon registration

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