

21st Annual Credit Law Conference

The fast lane: clear guidance through risk, compliance and reform

Wednesday 28 September – Friday 30 September 2011

Palazzo Versace, Gold Coast, Queensland

Speakers

- **Sue Vroombout**, General Manager – Retail Investor Division, **Australian Treasury**
- **Andrea Beatty**, Partner, **HWL Ebsworth**
- **Ian Gilbert**, Director, **Australian Bankers' Association**
- **Rhys Bollen**, Senior Manager, **ASIC**
- **Raj Venga**, Ombudsman, **Credit Ombudsman Service**
- **Phillip Field**, Ombudsman – Banking & Finance, **Financial Ombudsman Service**
- **Alan Maclean**, Partner, **HWL Ebsworth**
- **Jon Denovan**, Senior Partner – Banking & Finance, **Gadens**
- **Craig Wappett**, Partner, **Piper Alderman**
- **Stacey Hester**, Head of Legal, **Bank of Queensland**
- **Bridget Powell**, General Counsel, **HSBC Bank Australia**
- **Randal Dennings**, Partner, **Clayton Utz**
- **Helen Gordon**, Regional Director & Corporate Lawyer, **Australian Finance Conference**
- **Cameron Ball**, Counsel – Product & Distribution, **The Westpac Group**

And many more...

Claim up to 16 CPD/MCLE points

Early bird discount expires 19 August 2011

Register Today!

Visit: www.lexisnexis.com.au/creditlaw

Phone: 1800 772 772

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21st Annual Credit Law Conference

Calling all responsible managers

Please note that continuing professional development points for your licence may be applicable for attending this conference!

Dear Delegate,

Underpinned by challenges in further reforms, the 2011 Credit Law Conference will examine practical aspects of **implementation around the Phase 2 regulatory framework**, and also consider the **impact and repercussions of government regulatory changes to credit products**.

Now in its 21st year, the LexisNexis Credit Law Conference offers **authoritative comment and discussion** from some of the most senior and experienced practitioners in Australia – with topics including responsible lending obligations, issues around brokers and intermediaries, small business lending & business banking, disclosure requirements, EFT Code reform, Privacy Law and EDR under the new federal regime.

New to the Conference this year is an **examination of the requirements for Responsible Managers**; take advantage of this and other relevant topics in this year's program for your team to acquire Continuing Professional Development Points towards their ongoing licensing requirements.

Take advantage of this **unique opportunity to network** with colleagues, industry representatives and stakeholders, Government and regulatory bodies. LexisNexis is delighted to be hosting this prestigious industry event at the exclusive Palazzo Versace, Gold Coast, Queensland. Take a moment to breathe in the luxury while you're there!

With numbers growing every year, now is the time to register your interest to participate in the most anticipated industry forum on credit law for 2011 in Australia. We encourage you to bring along your partner and family so that they can take advantage of the beautiful location and facilities at the Palazzo Versace, with Main Beach a short stroll across the road and the opportunity to swim or frolic with dolphins at nearby aquatic theme park Sea World!

We look forward to welcoming you to the 21st Annual Credit Law Conference at the Palazzo Versace, Gold Coast, Queensland.

Kind regards,

Angela Kurtz

National Manager Professional Development, and
the LexisNexis Professional Development Team

You will be in good company

Last years delegates included senior representatives from:

- AMP Banking Ltd
- ANZ
- Australian Securities & Investments Commission
- Australian Treasury
- Bank of Queensland
- Bank Of Western Australia
- Bendigo And Adelaide Bank Limited
- Blake Dawson
- BPAY
- Cairns Community Legal Centre
- Commonwealth Bank of Australia
- Commonwealth Treasury
- Consumer Action Law Centre
- Creditwise Pty Ltd
- Department of the Prime Minister & Cabinet
- Financial Ombudsman Service Limited
- GE Capital
- HSBC Bank Australia Limited
- HWL Ebsworth Lawyers
- Mortgage & Finance Association of Australia
- National Australia Bank
- Office of Fair Trading
- Teachers Credit Union
- The Australian Banker's Association Inc
- Victorian Civil & Administrative Tribunal

Who should attend?

- Lawyers specialising in financial services, banking and consumer credit
- Corporate lawyers and legal counsel from the banking and finance industry
- Responsible managers
- Consumer advocates
- Compliance managers and executives
- Loan managers
- Finance companies
- Credit unions
- Friendly societies
- Mortgage originators
- Finance brokers and other consumer credit providers

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Program at a glance

Pre-conference workshop

28 September 2011

ASIC – Advertising credit & credit services
Dealing with the new Personal Property Securities (PPS) landscape

Conference – day one

28 September 2011

The regulatory framework for Phase 2 of the reforms
Regulatory update for credit – what's next & the year in review
ASIC regulatory focus and activities

Conference – day two

29 September 2011

Designing better regulation – the consumer credit experience
Panel discussion – Impact and repercussions of government regulatory changes to credit products
Implementation of responsible lending obligations – problems and issues
Brokers and other intermediaries
Small business lending & business banking
Exempt third parties

Conference – day three

30 September 2011

Perspectives on existing and pending disclosure requirements
National Credit reform and External Dispute Resolution (EDR) – the interplay between independent bodies
Practical considerations for the EFT Code Reform
Movements in privacy law reform
Responsible managers – what you need to know

Social program

28 – 29 September 2011

Welcome drinks on Wednesday 28th September
Pre-dinner drinks on Thursday 29th September
Official conference dinner on Thursday 29th September

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21st Annual Credit Law Conference

The fast lane: clear guidance through
risk, compliance and reform

Day one: Wednesday, 28 September 2011

8:30 Workshop registration

9:00 Pre-conference workshop

Advertising credit and credit services

Michael Saadat and Tim Gough from ASIC will discuss the regulator's approach to misleading or deceptive advertising and provide practical examples of advertising that prompted regulatory action.

Tim Gough & Michael Saadat, *Senior Managers – Deposit Takers, Credit and Insurance Providers, ASIC*

1.5 CPD/MCLE points in substantive law

10:30 Morning tea

11:00 Dealing with the new Personal Property Securities (PPS) landscape

- The registration process
- Describing collateral and grantors (including the pros and cons of using serial numbers, free text and class descriptions)
- Indicating "control" over inventory
- Dealing with whether one registration covers multiple interests
- Transitional issues, including the migration of existing data
- The application of extinguishment rules
- The process of releasing security interests

Alan Maclean, *Partner, HWL Ebsworth*
Craig Wappett, *Partner, Piper Alderman*
Tony Coburn, *Consultant, Freehills*

1.5 CPD/MCLE points in substantive law

12:30 Networking lunch for workshop speakers and delegates

1:00 Conference registration

1:30 Opening remarks from the Chair

Sue Vroombout, *General Manager – Retail Investor Division, Australian Treasury*

KEYNOTE

1:45 The regulatory framework for Phase 2 of the reforms

Sue Vroombout, *General Manager – Retail Investor Division, Australian Treasury*

0.5 CPD/MCLE points in substantive law

2:15 Regulatory update for credit – what's next & the year in review

- The past and the present – the year in review & what's news for credit
- National credit reform – practical strategies for implementing further reform
- Credit danger zones- impacts on businesses and products
- Credit hot spots – fine tuning business practices
- Practical credit survival guide – achieving customer needs and credit compliance
- Resourcing credit compliance – the business case
- Future developments – what's on the horizon

Andrea Beatty, *Partner, HWL Ebsworth*
Stephen Cavanagh, *Partner, HWL Ebsworth*

1.5 CPD/MCLE points in substantive law

3:45 Afternoon tea

4:15 ASIC regulatory focus and activities

- How is the industry performing from ASIC's perspective
- What are the current issues that ASIC see coming up in the next 12 months

Greg Kirk, *Senior Executive Leader – Deposit Takers, Credit and Insurance Providers, ASIC*

0.75 CPD/MCLE points in substantive law

5:00 Close of day one and welcome drinks

“Excellent perspectives ranging across regulators, lawyers, consumer advocates and compliance professionals – a must attend conference”

– Aidan Malpas, VP Compliance, GE Capital

Annotated National Credit Code & Regulations by Andrea Beatty & Andrew Smith

The Annotated National Credit Code has an established reputation as an essential guide to the Code and Regulations. Practitioners will find this book invaluable in understanding the new federal scheme, responsibilities placed upon credit providers and the penalties for breach.

This 4th edition has now been updated to cover the National Credit Code and Regulations. It provides an overview of the National Consumer Credit regime, with detailed and comprehensive explanations. Included is coverage of ASIC registration, case law, credit licensing and responsible lending requirements.

It is an essential reference for financial institutions, retailers, financiers, responsible managers and consumer advocates as well as practitioners to ensure compliance with the Code obligations.

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Claim CPD/MCLE points with all LexisNexis Professional Development events



“The essential annual conference for consumer credit lawyers and compliance officers, all you need in one perfect package!”



– Jon Denovan, Senior Banking Partner, Gaden Lawyers

Day two: Thursday, 29 September 2011

8:30	Registration	1:30	Brokers and other intermediaries
8:50	Welcome from the Chair		<ul style="list-style-type: none">• How much supervision is required from responsible managers?• How much supervision of credit representatives is required?• How do credit representatives act as agents when lodging off panels?• Do credit assistants need their own credit policy and how does that fit with conflicting lender policies?• How do bullet repayment loans, old borrowers and other special products fit with responsible lending?• Dealing with liability issues of credit representatives
	Andrea Beatty, Partner, HWL Ebsworth Lawyers		Jon Denovan, Senior Partner – Banking and Finance, Gadens Lawyers
9:00	Designing better regulation – the consumer credit experience		1 CPD/MCLE point in substantive law
	<ul style="list-style-type: none">• Once a decision is made to regulate the next question is ‘what should the regulation look like’?• This talk will examine the issues considered in answering this question, and how better regulatory design can be achieved, for the benefit of all stakeholders		
	Christian Mikula, Manager – Consumer Credit Unit, Australian Treasury		
	1 CPD/MCLE point in substantive law		
10:00	Impact and repercussions of government regulatory changes to credit products	2:30	Small business lending & business banking
	<ul style="list-style-type: none">• Break costs• A discussion of the proposed ban on exit fees, and the impact to rates• Honeymoon loans		<ul style="list-style-type: none">• The meaning of ‘small business’• Predictions for the future – what we can expect from the reforms• Costs v benefits of extending the reforms to small business i.e. – what will be the real impact on small business• Small business & insolvency• Possible alternatives• The role of accountants in any extension of the reforms
	Katrina Bills, Corporate Solicitor, Bank of Queensland		
	Stacey Hester, Head of Legal, Bank of Queensland		
	Ian Gilbert, Director, Australian Bankers Association		
	1 CPD/MCLE point in substantive law		
11:15	Morning tea		
11:45	Implementation of responsible lending obligations – problems and issues	3:45	Afternoon tea
	<ul style="list-style-type: none">• Issues with assessing a consumer’s “financial situation” – what is reasonably required?• Issues with the verification of financial capacity – what is reasonable and the use of validation tools• Does RG 209 provide insights or assistance (and how is it being understood)?• Are the regulators and industry associations all on the same page?• Some general and practical considerations	4:15	Exempt third parties
	Philip Trinca, Partner, Blake Dawson		<ul style="list-style-type: none">• Credit service providers<ul style="list-style-type: none">- Point of sale- Referrers• Service providers<ul style="list-style-type: none">- Debt collectors• Misconceptions• Regulation by exemption
	Frances Russell-Matthews, Senior Counsel & Head of Product & Distribution Legal, The Westpac Group		Steve Edwards, Director, CreditWise
	0.75 CPD/MCLE point in substantive law		1 CPD/MCLE point in substantive law
12:30	Networking lunch for speakers and delegates	5:00	Close of day two
		6:30	Pre-dinner drinks

7.00 Official conference dinner

Join your fellow delegates and speakers in La Medusa Ballroom for the Official conference dinner. This will be a great opportunity to relax and enjoy a fine dining experience with your colleagues in this world-renowned setting.

21st Annual Credit Law Conference 28 – 30 September 2011, Palazzo Versace

Day three: Friday, 30 September 2011

- 8:30 **Conference registration**
- 8:50 **Welcome from the Chair**
Helen Gordon, *Regional Director and Corporate Lawyer, Australian Finance Conference*
- 9:00 **Perspectives on existing and pending disclosure requirements**
 - Overview of current and pending disclosure requirements
 - Challenges in complying with responsible lending disclosure requirements
 - Key fact sheets for home loans and credit cards
 - Reverse mortgage disclosures
 - The future of comparison rate disclosures
 - Disclosures at the point of sale**Andrew Galvin**, *Partner, Corrs Chambers Westgarth*
Catherine Uhr, *Consumer Advocate & Senior Solicitor – Consumer Protection Unit, Legal Aid Queensland*
1 CPD/MCLE point in substantive law
- 10:00 **National Credit reform and External Dispute Resolution (EDR) – the interplay between independent bodies**
 - An explanation of the powers and functions of each organisation
 - How has the new federal regime affected EDR in terms of the number and types of complaints?
 - An analysis of hardship applications – are the numbers increasing?**Facilitator:**
Andrew Smith, *Deputy Ombudsman, Credit Ombudsman Service*
Philip Field, *Ombudsman – Banking & Finance, Financial Ombudsman Service*
Raj Venga, *Ombudsman, Credit Ombudsman Service*
Karen Reid, *Legal & Compliance Counsel, RHG Mortgage Corporation Ltd*
1 CPD/MCLE point in substantive law
- 11:00 **Morning tea**
- 11:30 **Practical considerations for the EFT Code Reform**
 - What to expect and where to from here for the revised EFT Code
 - Impact on document disclosure
 - Timing and transitional issues
 - Key elements of the unauthorised transactions and the mistaken payment regime
 - Tailored requirements for low value facilities
 - Role of EDR schemes
 - Other practical considerations**James Moore**, *Partner, HWL Ebsworth* (from mid July 2011)
Cameron Ball, *Counsel – Product & Distribution, The Westpac Group*
Rhys Bollen, *Senior Manager – Consumers, Advisors & Retail Investors, ASIC*
1 CPD/MCLE point in substantive law
- 12:30 **Networking lunch for speakers and delegates**
- 1:30 **Movements in privacy law reform**
 - Key intersections between privacy and responsible lending
 - Analysing the indications of what the reforms will be, and its impacts
 - What's next in the process for the credit reporting phase?
 - The steps you can take at this early phase**Facilitator:**
Olga Ganopolsky, *Head of Legal – Compliance & Regulatory, Veda Advantage*
Joan Sheedy, *Assistant Secretary Privacy & FOI Policy Branch, Department of Prime Minister & Cabinet*
Geoff Bloom and **Ruth Neal**, *HWL Ebsworth*
1 CPD/MCLE point in substantive law
- 2:30 **Responsible managers – what you need to know**

Randal and Mark have had extensive experience in assisting organisations discharge their obligations and have been appointed by a range of ACL licensees to assist with the establishment of a robust ACL licensing and RM governance structure.

 - An introduction to credit RM responsibilities
 - Liability of RMs – including covering breach and remediation issues
 - ASIC's expectations
 - Practical tricks & traps based on Randal & Mark's experience in RM "mentoring"**Randal Dennings**, *Partner, Clayton Utz*
Mark Sneddon, *Partner, Clayton Utz*
1.5 CPD/MCLE points in substantive law
- 4:00 **Closing remarks from the Chair**
- 4:15 **Close of conference**



21st Annual Credit Law Conference



Palazzo Versace offers specially discounted rates for conference delegates of:

Superior Room	- Twin	AUD 270.00
Lagoon Room	- King	AUD 355.00
Lagoon Room	- Twin	AUD 355.00
Superior Suite		AUD 385.00
Deluxe Suite		AUD 470.00
Lagoon Suite		AUD 670.00

Alternative accommodation options:

Sheraton Mirage Resort and Spa Gold Coast
Sea World Drive
Main Beach
Gold Coast QLD 4217
Ph: 07 5591 1488

Sea World Resort & Water Park
Sea World Drive
Main Beach
Gold Coast QLD 4217
Ph: 07 5591 0000

Priority registration form

21st Annual Credit Law Conference

4 easy ways to register

Online: www.lexisnexis.com.au/creditlew
 Phone: 1800 772 772
 Fax: (02) 9422 2338
 Mail: Conference Co-ordinator, LexisNexis
 Locked Bag 2222,
 Chatswood Delivery Centre, Chatswood NSW 2067
 or: DX 29590 Chatswood

Please complete sections A, B, C, D

TAX INVOICE

Conference code: PD0411 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**): _____

** to send conference confirmation

B DELEGATE SOCIAL PROGRAM

- I will be attending the Wednesday night welcome drinks
 I will be attending the Thursday night pre-dinner drinks
 I will be attending the Thursday evening official conference dinner

GROUP BOOKING

Register 3 or more people from the same organisation at the same time and book at the group booking price per person.

ACCOMMODATION BOOKING

Please note: LexisNexis will not be taking accommodation bookings directly for the conference this year. To book accommodation please contact the hotel directly and mention LexisNexis Credit Law Conference for special rates.

Palazzo Versace, 94 Sea World Drive, Main Beach, ph: 07 5509 8000

The Palazzo Versace provides iHub access throughout the hotel and complimentary broadband internet access is available in each room.

GOLD COAST AIRPORT – SHUTTLE

The closest airport to the resort is the Gold Coast Airport, Pacific Highway, Coolangatta QLD.

The hotel is approximately 25kms north from the resort. LexisNexis will be not be providing a shuttle bus from the airport to the resort this year. However, the Palazzo Versace Hotel offers alternate transport arrangements on request.

C Guest details:

Tickets will need to be purchased for guests for the Official conference dinner, see pricing box.

Full name: _____

- I will be attending the Official conference dinner

D Earn CPD Points:

Lawyers and responsible managers can earn up to 16 CPD/MCLE points

Where did you hear about this event? _____

- Please add me to the LexisNexis Monthly Professional Development email list

Please send me more information on:

- Personal Property Securities in Australia – Looseleaf service & Online
 Australian Consumer Credit Law – Looseleaf service
 Competition and Consumer Law Journal, Vol 17 Pt 2
 Australian Banking and Finance Law Bulletin – Online
 Australian Banking and Finance Law Bulletin – Newsletter
 Financial Services Newsletter – Online
 Financial Services – Looseleaf service

PROGRAM CHANGES

Details regarding this conference were confirmed and correct at the time of printing. LexisNexis reserves the right to cancel or amend the conference details at any time if required.

CANCELLATION

Your registration will be confirmed in writing when full payment has been received. LexisNexis' cancellation policy applies as follows. If cancellation is notified in writing:

- One calendar month or more prior to the first day of event: LexisNexis will refund your registration fee less \$165.00 administration cost.
- Between one calendar month plus one day and 14 days prior to the first day of event: LexisNexis will refund 50% of the fee paid by you and provide you with a copy of event papers.
- 13 days or less prior to the first day of the event: LexisNexis will not refund any part of your fee. However, you may nominate a replacement delegate to attend in your place.

E Event pricing (please tick your selection)

All registrations for the conference receive a copy of Annotated National Credit Code & Regulations by Andrea Beatty & Andrew Smith.

EXAMPLE

One day conference	1	\$900 + GST = \$990	\$490
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Advance price (register and pay before 8 July 2011)

Please Select	Options	Qty	Price	Subtotal
	2.5 day conference + workshop		\$2639.09 + GST = \$2903.00	
	2.5 day conference only		\$2184.50 + GST = \$2402.95	

Early bird price (register and pay after 8 July 2011 and before 19 August 2011)

Please Select	Options	Qty	Price	Subtotal
	2.5 day conference + workshop		\$2775.45 + GST = \$3053.00	
	2.5 day conference only		\$2320.91 + GST = \$2553.00	

Standard price (register and pay after 19 August 2011)

Please Select	Options	Qty	Price	Subtotal
	2.5 day conference + workshop		\$3048.18 + GST = \$3353.00	
	2.5 day conference only		\$2502.73 + GST = \$2753.00	
	½ day workshop only		\$ 650.00 + GST = \$ 715.00	
	1 day conference only*		\$1380.00 + GST = \$1518.00	

Social program (for guests and workshop registrations)

Please Select	Options	Qty	Price	Subtotal
	Official conference dinner		\$145.45 + GST = \$160.00	

Conference resources (I am unable to attend but please send me conference papers)

Please Select	Options	Qty	Price	Subtotal
	21st Annual Credit Law		\$500.00 + GST = \$550.00	

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

TOTAL

- Claim my 10% discount off the stand price (full program only) as a member of ABACUS / IFS / AFC (please circle) Membership number: _____

* I would like to attend:

- Day 1 Day 2 Day 3

F Payment details

Payment is due upon registration. This document will be a Tax Invoice/Receipt for GST upon completion of payment.

- Enclosed is my cheque for: \$ _____ made payable to LexisNexis

- Pay by credit card: Please charge \$ _____ to

- Mastercard Visa American Express

Card number: _____/_____/_____/_____

Expiry: ____/____

Name of cardholder: _____

Signature of cardholder: _____

IMPORTANT PRIVACY NOTICE:

The information you provide on this form is collected by Reed International Books Australia Pty Limited for the purposes of processing your registration or enquiry and keeping you informed of upcoming products, services and events. The information is disclosed from time to time to our related bodies corporate for these purposes. The provision of this information by you is voluntary but if you do not provide some or all of the requested information we may be unable to properly process your registration. You have both a right of access to the personal information we hold about you and to ask us to correct it if it is inaccurate or out of date. Photographs/audio visual content may be produced at this event and might be used for future LexisNexis Professional Development collateral. Please direct your enquiries to privacyp@lexisnexis.com.au

Please note, delegate information will be provided to sponsors.

- Please tick here if you consent to the Sponsor collecting your information
 Please tick here if you DO NOT wish to receive information about upcoming events
 Please tick here if you would like to receive communications from the Sponsor in the future