

Conveyancing QLD 2011

Meeting the challenges and navigating the pitfalls

15 June 2011, Pre-conference workshop

16 June 2011, One-day program

Stamford Plaza Brisbane



Program highlights

- Understand **disclosure obligations** for house and strata title sales
- Identify your obligations and remedies when **terminating contracts**
- Improve your knowledge of **standard conditions and special conditions**
- Learn solutions to common **conveyancing disputes**
- Upgrade your compliance with the **Conveyancing Protocol**
- Pinpoint the essential elements of **community title schemes**
- Gain a tactical understanding of the outlook for **Queensland conveyancing in 2011-12**

Claim up to 8.5 CPD points

Speakers

- **Peter McLeod**, Partner, MacGillivrays Solicitors
- **Matthew Raven**, Partner, Gadens Lawyers
- **Peter Townley**, Partner, Herbert Geer
- **Damien O'Brien**, Barrister, Queensland Bar
- **Mark Mellick**, Partner, Active Lawyers
- **Tony Biggar**, Partner, bmlaw Solicitors
- **Roland Taylor**, Partner, Statewide Conveyancing
- **Warren Denny**, Partner, Flower and Hart Lawyers
- **Jamie Brauer**, Solicitor, PS Conveyancing Connection

Early bird discount expires 13 May 2011

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Conveyancing QLD 2011

Meeting the challenges and navigating the pitfalls

8:30 Conference registration

8:55 Opening remarks from the Chair

Peter McLeod, *Partner*, **MacGillivrays Solicitors**

9:00 **Keynote address**

Outlook for Queensland conveyancing in 2011-2012 and beyond

- Assessing the likely impact of national profession reforms on Queensland conveyancers
- Cost pressures – where to from here?
- Electronic conveyancing – implications, current status and timeframe for implementation
- How to make better use of technology using non-traditional search engines and other tools

Tony Biggar, *Partner*, **bmlaw Solicitors**

0.75 CPD point

9:45 **Sellers' disclosure obligations in house and strata title transactions**

- PAMDA notice requirements
- *Land Sales Act* obligations (for both strata title and newly-created flat lots)
- Disclosure obligations under the *Environmental Protection and Building Acts*
- *Competition and Consumer Protection Act* obligations
- Common law obligations
- Ramifications of failure to disclose

Peter Townley, *Partner*, **Herbert Geer, Accredited Property Law Specialist**

0.75 CPD point

10:30 **Terminating contracts – What are your obligations and remedies?**

- Common-law right to terminate
- Contractual right to terminate
- Statutory right to terminate (*PAMDA, Body Corporate Community Management Act, Land Sales Act*)
- Pinpointing the differing remedies available)

Damien O'Brien, *Barrister*, **Queensland Bar**

0.75 CPD point

11:15 **Morning tea**

Discussion panel

11:35 **Evidencing a *bona fide* attempt to comply with the Conveyancing Protocol**

- Managing the work required for compliance
- Conveyancing tools available for Protocol compliance:
 1. First letters
 2. Conveyancing booklets
 3. Checklists
 4. Explanatory notes
 5. PAMDA checklist
 6. File note
 7. Searches worksheets
- Identifying the problems practitioners face with compliance
- Consequences of non-compliance

Facilitator:

Warren Denny, *Partner*, **Flower and Hart Lawyers, Accredited Property Law Specialist**

Panellists:

Roland Taylor, *Partner*, **Statewide Conveyancing**

Brian Cronin, *Barrister*, **Queensland Bar**

Clinton Mohr, *Principal*, **Clinton Mohr Lawyers, Accredited Property Law Specialist**

0.75 CPD point

The sale and purchase of property is an area of legal practice where there are multiple pitfalls. It's all too easy to slip up with requirements like disclosure - as we have seen in the litigation over recent floods. This program, designed for intermediate-level practitioners, will help you upgrade delivery of services as our experts guide you through some of the most challenging areas.



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12:25 Community title schemes – back to basics

- Types of schemes
- Community management statements
- Common property
- Caretaking service contracts

Mark Mellick, *Partner*, **Active Lawyers**

0.75 CPD point

1:10 Networking lunch for speakers and delegates

2:10 Impact of Australian Consumer Law on conveyancing

- Understanding the changes to the REIQ contracts
- Learning from the Victorian and UK experience
- Examples of unfair terms/terms open to challenge

Kim Teague, *Partner*, **Cooper Grace Ward Lawyers**

0.75 CPD point

Discussion panel

2:55 Solutions to common conveyancing disputes

- PAMDA non-compliance and validity of termination during the cooling-off period
- Building and pest inspections
- New swimming pool safety laws
- Non-disclosure of unregistered encumbrances
- Unsatisfactory search results (properties affected by authority proposals, contamination, unapproved building works)
- Parties unable to agree on settlement figures
- Apartment defects in off the plan sales

Facilitator:

Matthew Raven, *Partner*, **Gadens Lawyers**

Panellists:

Jamie Brauer, *Solicitor*, **PS Conveyancing Connection**
Anthony Boge, *Special Counsel*, **HopgoodGanim Lawyers**,
Accredited Property Law Specialist
Cathy Bauer, *Senior Associate*, **Macpherson+Kelley Lawyers**

0.75 CPD point

3:45 Afternoon tea

4:05 CASE STUDY

How construction issues prevented settlement on \$100m residential tower

- Sunset dates at risk – suspension of construction work under the *BCIPA*
- Certificate of Classification – matters preventing issue
- Breaches of the *Building Code of Australia*
- Defects giving rise to s214 of *BCCMA* notice

Joshua Paffey, *Partner*, **McInnes Wilson**

0.75 CPD point

4:50 Closing remarks from the Chair

4:55 Close of conference

Pre-conference workshop: 15 June 2011

2:00-5:00 (Afternoon tea included)

Knowing your standard conditions and drafting special conditions

- Building, pest and pool inspections
- Adverse or unusual search results
- Issues associated with chattels
- Drafting and terminating under special conditions
- Time and extensions of time
- The ADL contract v the REIQ contract – highlighting some important differences;
- Adjustments – what is adjustable, and how?
- GST and tax invoices – are they relevant for residential sales? When are special conditions needed?

Nigel Hales, *Partner*, **Miller Harris Lawyers**, **Accredited Property Law Specialist**

2.5 CPD points

Who should attend?

- Conveyancing practitioners
- Young lawyers
- Conveyancing paralegals
- Related property professionals

Priority registration form Conveyancing QLD 2011

4 easy ways
to register

Online: www.lexisnexis.com.au/pd
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: PD4911 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: _____

Telephone: _____

Fax: _____

Email (required**): _____

Delegate 3 details

Mr/Ms/Dr: _____
First name Last name

Position: _____

Telephone: _____

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 Australian Property Law Bulletin – Online
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EARN CPD POINTS:

Conference: Up to 6 points Workshop: Up to 2.5 points
Please note that CPD points are self assessed and this is a guide only.
For more information, contact the Queensland Law Society.

CONFERENCE RESOURCES

- I am unable to attend but would like to purchase a set of the Conveyancing QLD 2011 conference papers for \$180 + GST = \$198

PROGRAM CHANGES

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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:

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C Event pricing (please tick your selection)

EXAMPLE

One day conference	<input checked="" type="checkbox"/>	\$900 + GST = \$990	\$990
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Advance price (register and pay before 21 April 2011)

Please Select	Options	Qty	Price	Subtotal
<input type="checkbox"/>	Conference + workshop		\$1350 + GST = \$1485	
<input type="checkbox"/>	Conference only		\$900 + GST = \$990	

Early bird price (register and pay after 21 April 2011 and before 13 May 2011)

Please Select	Options	Qty	Price	Subtotal
<input type="checkbox"/>	Conference + workshop		\$1450 + GST = \$1595	
<input type="checkbox"/>	Conference only		\$1050 + GST = \$1155	

Standard price (Register and pay after 13 May 2011)

Please Select	Options	Qty	Price	Subtotal
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<input type="checkbox"/>	Conference only		\$1150 + GST = \$1265	
<input type="checkbox"/>	Workshop only		\$450 + GST = \$495	

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

TOTAL

- I am a member of Queensland Young Lawyers, please apply the 10% discount.
Membership Number _____

Where did you hear about this event? _____

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

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