

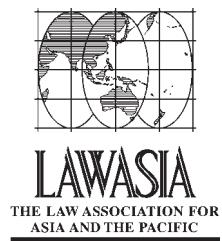
# LAWASIA downunder 2005

XIX Biennial LAWASIA Conference | 34th Australian Legal Convention | 20–24 March 2005 | Gold Coast Queensland Australia

34th Australian Legal Convention | 44th QLS Symposium | 11th Conference of the Chief Justices of Asia Pacific



## REGISTRATION BROCHURE



Queensland  
**Law Society**



Law Council  
OF AUSTRALIA



PRIME MINISTER  
CANBERRA

#### MESSAGE: LAWASIAdownunder2005

I am pleased to welcome both Australian and international participants in LAWASIAdownunder2005 to Queensland. In bringing together the biennial LAWASIA conference, the 34<sup>th</sup> Australian Legal Convention, the 44<sup>th</sup> Queensland Law Symposium, the 11<sup>th</sup> Conference of the Chief Justices of Asia Pacific and a meeting of the Presidents of Law Associations in Asia, the organisers have managed to create a unique opportunity for communication and knowledge exchange on a multitude of legal issues confronting lawyers in Australia and the rest of the Asia Pacific region.

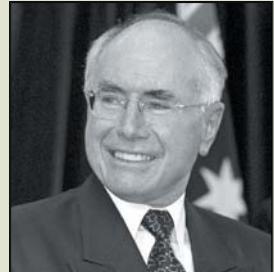
Opportunities for lawyers to discuss important legal issues with their counterparts are important in the development of the law and in the communication of ideas, concerns and views on existing and emerging legal issues. That is why weeks such as this are so useful for individual lawyers, the legal profession and society as a whole.

While attending LAWASIAdownunder2005 I understand you will be talking about issues as diverse as criminal law, intellectual property, trade law, constitutional law and human rights. It is pleasing to see so many judges, lawyers and academics coming together from across the Asia Pacific region to share their experiences and their expertise in these areas with their colleagues.

I wish you a successful conference and congratulate the organisers for bringing this event to Queensland.

(John Howard)

#### Message from the Prime Minister of Australia



Premier of Queensland  
and Minister for Trade

#### MESSAGE FROM THE PREMIER OF QUEENSLAND

I'm delighted to welcome all delegates to the LAWASIAdownunder2005 Conference on our fabulous Gold Coast.

With our strategic location as the gateway to the Asia Pacific, we have worked very hard in Queensland to develop strong trade and cultural ties throughout the region.

In the last 12 months I have led trade missions to India, Thailand, Singapore, China and Japan and we will continue to forge closer friendships with all our Asia Pacific neighbours.

This conference will be invaluable in bringing together law practitioners from many different jurisdictions to help us find common solutions to the legal challenges of the modern world.

I wish all conference delegates a rewarding and enjoyable stay in Queensland.

PETER BEATTIE MP  
PREMIER AND MINISTER FOR TRADE

#### Message from the Premier of Queensland



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## Message from the Chief Justice of Australia



On behalf of the Australian judiciary, I am delighted to join in welcoming all the delegates to the LAWASIA Conference of 2005, which is being held in conjunction with the 11th Conference of Chief Justices of Asia and the Pacific. The Judicial Section of LAWASIA is closely involved in the arrangements for the Conference of Chief Justices.

In Australia, the judiciary draws strength from its close association with the legal profession. The independence of the judiciary is bound up with the independence of the profession, from whose ranks most judges are drawn. We attach great importance to fostering relations with judges and lawyers from Asia and the Pacific Region. We all have much to learn from one another. An occasion such as this provides an excellent opportunity for us all to expand our horizons.

**The Hon Murray Gleeson AC**, Chief Justice of Australia

## Message from the Chief Justice of Queensland



This will be an outstanding event: an appealing program at an enticing Queensland centre, with the convergence of thousands of diverse lawyers, including judges, from a massive segment of the globe: opportunities for interchange even the Internet cannot match. I relish welcoming you to the Sunshine State.

**The Hon Paul de Jersey AC**, Chief Justice of Queensland

## Message from the President of the Queensland Law Society



The challenge for every Australian in the 21st century will be how to develop our relationship with the Asia-Pacific region and how to build and strengthen practical bridges of understanding. It is a matter of very real pride that the Queensland Law Society is leading the way in this pro-active engagement for the Australian legal profession by hosting the prestigious 19th LAWASIA Biennial Conference on the Gold Coast in March 2005.

LAWASIAdownunder2005 promises to be the premier regional legal conference of the year and delegates and guests from the 23 member countries and beyond will enjoy a rich intellectual feast provided by a stellar list of internationally distinguished guest speakers and a networking and educational opportunity that could only be described as unique.

The state-of-the-art Gold Coast Convention Centre will be the world-class venue for this conference which has proven to be a magnet for other major conferences including the biennial Conference of Chief Justices from the region, the 34th Australian Legal Convention and the 44th Queensland Law Society Symposium all of which will be held concurrently. Australia's Commonwealth, State and Territory Attorneys-General will also meet at the venue also for their first national conference of 2005.

LAWASIAdownunder2005 is the whole package – and we look forward to welcoming you.

**Glenn W Ferguson**, President, Queensland Law Society, Chair, Conference Organising Committee

## Message from the President of LAWASIA



It is my honour and pleasure as President of LAWASIA to extend a warm invitation to all members of the legal community, colleagues and friends to join us for LAWASIAdownunder2005, a conference that promises to be stimulating, productive and of immense benefit to the legal profession of the region.

LAWASIA is delighted to see its traditional biennial conference enhanced by the inclusion of other events from the host country of Australia and in particular, the host jurisdiction of Queensland.

We are naturally delighted that the LAWASIA tradition of holding the biennial Conference of Chief Justices concurrently with our biennial conference will continue and LAWASIAdownunder2005 looks forward to the input of the Chief Justices where their program allows.

In addition, this conference will offer unsurpassed networking possibilities that will enhance business opportunities and advance understanding of law in today's cross-jurisdictional environment. There are very few who do not need to raise their eyes above their own jurisdiction to ensure full understanding of the profession they practise, and LAWASIAdownunder2005 aims to be a vehicle to assist in this process.

I look forward to welcoming you to an event that will combine the highest level of educational opportunity with the chance to develop relationships with colleagues from the entire region who share the aspiration to be part of an international legal community.

**GL Sanghi**, President of LAWASIA

## Message from the President of the Law Council of Australia



The Law Council of Australia is delighted to be part of this outstanding international conference in the Asia-Pacific region which, in 2005, will replace the Council's biennial Australian Legal Convention while retaining key elements of it, including the customary plenary addresses by the Chief Justice of Australia and the Commonwealth Attorney-General.

The conference will also afford the Law Council the opportunity to host, for the second time, the prestigious annual meeting of the Presidents of Law Associations in Asia (POLA), and we are particularly looking forward to welcoming the POLA delegates back to Australia.

The Queensland Law Society and its Conference Organising Committee have done a magnificent job in developing a business program which will be of interest to international and local practitioners alike, including the participants at the various allied meetings which are a traditional part of the Australian Legal Convention.

We are honoured that the Standing Committee of Attorneys-General has decided to meet concurrently with the conference and we look forward to welcoming the Attorneys-General and their Departmental heads.

I encourage you to register early and look forward to meeting during the conference.

**Stephen Southwood QC**, President, Law Council of Australia

# Conference supported by



The Law Society  
of New South Wales



The Law Society  
of Tasmania



The Law Society  
of Western Australia

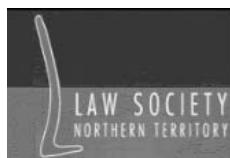


Law Institute  
Victoria



THE  
VICTORIAN BAR

Melbourne AUSTRALIA



Queensland Institute of  
Medical Research

## LAWASIdownunder2005 Venue

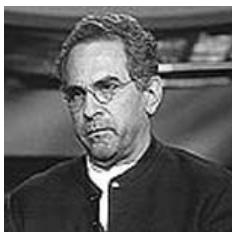
The conference will be held at Australia's newest and most modern purpose-built conference venue, the Gold Coast Convention and Exhibition Centre (GCCEC). Ideally located at the very centre of Australia's favourite leisure destination, the Gold Coast, GCCEC offers immediate access to multiple accommodation options, tourist attractions, famed surfing beaches and all of the attractions of this superb coastal resort area.

**The Gold Coast** features over 40 kilometres of open surf beach, miles of protected water ways, over forty golf courses, Australia's largest selection of theme parks and hundreds of restaurants and attractions to suit all tastes. Add to this the Gold Coast's superb climate which in March averages 27°C during the day.

For further information on the Gold Coast go to:  
[www.goldcoasttourism.com.au](http://www.goldcoasttourism.com.au)



# Plenary speakers



**Jose Ramos Horta** is Foreign Minister in the government of Timor Leste (East Timor). Prior to the liberation of that country from 25 years of Indonesian occupation, Mr Ramos Horta earned the deepest respect of the international community for his unflagging campaign to keep the concept of a free and independent East Timor alive. He was a permanent representative of FRETILIN at the United Nations from 1976 to 1989. His extraordinary dedication to his cause saw him, along with Bishop Carlos Belo, awarded the 1996 Nobel Peace Prize. The former radio and television journalist was appointed Foreign Minister to the current government in 2000 and he continues his life's work to see Timor Leste become a strong and independent nation. (Speaker subject to confirmation).



**Dennis Richardson AO** is the Director-General of Security of ASIO, the Australian Security and Intelligence Organisation. He was originally appointed to this role in 1996, then re-appointed for a further five years in 2001. Dennis was Deputy Secretary in the Department of Immigration and Multicultural Affairs from 1993 to 1996. In 2003, he was appointed an Officer in the General Division of the Order of Australia (AO).



**Asma Jahangir** is recognised globally for her work as a human rights activist and lawyer. Much of her career has been spent defending the rights of the women, children and religious minorities of Pakistan, and she is renowned for her work at the Lahore-based Human Rights Commission of Pakistan. In 1998, Ms Jahangir was appointed Special Rapporteur of the United Nations Commission on extrajudicial, summary or arbitrary executions, a role that took her to Afghanistan in 2002. Her reports and comments provided a good deal of insight into the post-Taliban situation in that country. She continues to be among the world's strongest advocates for human rights, a fact that has been recognised by the award of numerous prizes and distinctions.



**Stephen Kenny** is the Australian lawyer for Guantanamo Bay detainee, David Hicks. Stephen commenced acting for David Hicks, an Australian citizen held at Guantanamo Bay by United States authorities, in January 2002.

Stephen was admitted to practice in the Supreme Court of South Australia in 1979. He commenced practice as a lawyer with the Northern Australian Legal Aid Service in 1980 and practised law in both the public and private sector in Darwin until 1986. Stephen joined Camatta Lempens Pty Ltd, an Adelaide suburban law firm in 1987 and became a director of the firm in 1991. In the last 8 years Stephen has developed a significant native title practice and represents the Arabunna, Wangkangurru and Dieri People in three separate native title claims.



**Sean Dorney** is the Pacific Correspondent for the Australian Broadcasting Corporation and Radio Australia, based in Brisbane, Queensland. An acknowledged authority on Papua New Guinea, he lived and worked in the country for almost 20 years. In 1990, Sean published his first book, *Papua New Guinea – People, Politics and History Since 1975*. 1991 saw

Sean receive an MBE for services to broadcasting and sport from PNG Prime Minister Sir Rabbie Namaliu. In 1998, *The Sandline Affair*, Sean's second book, was published. He was awarded the Walkley Award for Radio News Reporting in the same year for his coverage of the tsunami that struck Papua New Guinea.



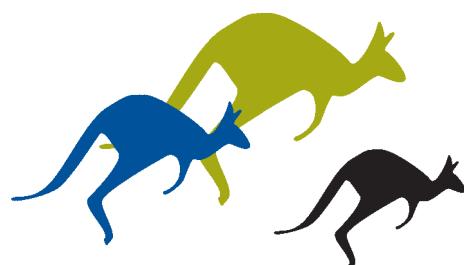
**Bishwa K Mainali**, former Vice President of LAWASIA, is well known and highly respected in Nepal for his extensive human rights work, as well as constitutional, civil and business law since becoming an advocate in 1973. He is a founding member of the Nepal Eye Hospital and of the Nepal Switzerland Friendship Association. He is the former President of the Forum For Protection of Human Rights in Nepal, Chair of the Nepal Bar Association's Human Rights Committee, and Senior Vice President of the Nepal Jurist Society.

## Conference Secretariat

The LAWASIAdownunder2005 Secretariat is available to assist you with general enquiries, conference registration, accommodation and travel information.

### LAWASIAdownunder2005 Secretariat:

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52 Musgrave Road, Red Hill QLD 4059 Australia  
**Telephone** +61 7 3368 2644      **Facsimile** +61 7 3369 3731  
**Email** lawasia@ccm.com.au      **Website** [www.lawasiadownunder.com](http://www.lawasiadownunder.com)



# Conference Program at a glance

Sunday - 20 March	Monday - 21 March	Tuesday - 22 March	Wednesday - 23 March	Thursday - 24 March
8.30 - 9.30am	<b>1. Opening Ceremony</b>	<b>6. Plenary:</b> <i>The breakdown of legal systems - threats to legal infrastructure caused by civil unrest</i> <b>Ms Asma Jahangir</b> , UNHCR Commissioner <b>Mr Bishwa Kant Mainali</b> , Chair, Human Rights Committee, Nepal Bar Association	<b>11. Plenary:</b> <i>The law &amp; international relations</i> <b>Mr Jose Ramos-Horta</b> , Foreign Minister, East Timor (Timor Leste) <b>Mr Dennis Richardson AO</b> , Director-General of Security, Australian Security and Intelligence Organisation	<b>At leisure</b>
9.30 - 10.30am	<b>2. Plenary Session:</b> <i>The law &amp; politics - the role of a free press in maintaining the rule of law</i> <b>Mr Sean Dorney</b> , Pacific Correspondent, Australian Broadcasting Commission <b>Mr Stephen Kenny</b> , Lawyer representing Australian Guantanamo Bay detainee David Hicks	<b>7. Concurrent Sessions:</b> 7.1 E-courts - reality or mythology 7.2 Immigration & big business 7.3 Reservation of legal work 7.4 Civil & Syariah family law potential Conflicts 7.5 Plain language & property law	<b>12. Concurrent Sessions:</b> 12.1 The media & criminal law 12.2 The interface between bankruptcy & family law 12.3 Mobility of legal professionals 12.4 International tax & estate planning for individuals changing residence within the Asia-Pacific region 12.5 Energy & environment	<b>16. Concurrent Sessions:</b> 16.1 Case management 16.2 Pro bono practice 16.3 Prisoners of conscience 16.4 Educating new entrants to the legal profession 16.5 Indigenous ownership of intellectual property
10.30 - 10.45am	<b>3. Concurrent Sessions:</b> 3.1 Government response to terrorism 3.2 Investment law 3.3 Multi-disciplinary practices & ILPs 3.4 Patents & biotechnology 3.5 Changes to court systems in the Region	<b>8. Concurrent Sessions:</b> 8.1 Capital punishment 8.2 Equal opportunity in law 8.3 International legal tribunals & domestic law 8.4 Maritime law 8.5 Family structures & family law	<b>13. Concurrent Sessions:</b> 13.1 International arbitration & expert determination 13.2 Philanthropy & the law 13.3 Future of intellectual property 13.4 Communications & media law: Strike up the band 13.5 Human rights in the Asia-Pacific	<b>17. Plenary Session:</b> <i>State of the judiciary</i> <b>The Hon Murray Gleeson AC</b> , Chief Justice of Australia <i>Law &amp; the government</i> <b>The Hon Philip Ruddock MP</b> (invited), Attorney General, Australia <i>The state of the profession</i> <b>Mr Stephen Southwood QC</b> , President, Law Council of Australia
10.45 - 12.30pm	<b>4. Concurrent Sessions:</b> 4.1 The geography of crime 4.2 Expert witnesses 4.3 Teaching of legal ethics 4.4 Corporate governance & business regulation 4.5 National profession 4.6 Updating international judicial standards	<b>9. Concurrent Sessions:</b> 9.1 Creative sentencing & plea bargaining 9.2 Immigration, nationality & domicile 9.3 E-conveyancing & E-transactions 9.4 Financial institutions & project aid 9.5 Admission to practice	<b>10. Concurrent Sessions:</b> 10.1 Indigenous justice 10.2 Separation of powers 10.3 Franchising in Asia & the Pacific 10.4 Knowledge ownership 10.5 Admission of foreign lawyers 10.6 Arbitration	<b>14. Concurrent Sessions:</b> 14.1 Tort law reform 14.2 e-Practice: the changing face of law 14.3 Alternative dispute resolution in family law 14.4 International trusts 14.5 Australian legal services in Asia & the Pacific
12.30 - 1.45pm	<b>5. Conference Registration Desk Opens</b>	<b>11. Plenary:</b> <i>The law &amp; international relations</i> <b>Mr Jose Ramos-Horta</b> , Foreign Minister, East Timor (Timor Leste) <b>Mr Dennis Richardson AO</b> , Director-General of Security, Australian Security and Intelligence Organisation	<b>12. Concurrent Sessions:</b> 12.1 The media & criminal law 12.2 The interface between bankruptcy & family law 12.3 Mobility of legal professionals 12.4 International tax & estate planning for individuals changing residence within the Asia-Pacific region 12.5 Energy & environment	<b>15. Concurrent Sessions:</b> 15.1 Alternate dispute resolution in practice 15.2 Self-represented litigants 15.3 Continuing professional development 15.4 Dispute minimisation in the construction industry 15.5 Superannuation & third parties
1.45 - 2.45pm			<b>13. Concurrent Sessions:</b> 13.1 International arbitration & expert determination 13.2 Philanthropy & the law 13.3 Future of intellectual property 13.4 Communications & media law: Strike up the band 13.5 Human rights in the Asia-Pacific	
2.45 - 3.00pm			<b>14. Concurrent Sessions:</b> 14.1 Tort law reform 14.2 e-Practice: the changing face of law 14.3 Alternative dispute resolution in family law 14.4 International trusts 14.5 Australian legal services in Asia & the Pacific	
3.00 - 4.00pm				
4.00 - 6.00pm	<b>Welcome Reception</b>	<b>Optional: Theme dinner function</b>		<b>Conference Dinner</b>

# Stream 1: CRIMINAL LAW

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## **Government Response to Terrorism: Has it changed life forever? Is it working? (Session 3.1)**

The war on terror has affected every country throughout the world with the reactions of various governments in this region being the cause for public and legal debate. The legal and other implications of government responses will be examined in this session.

*Session Chair: Mark Trowell QC (Australia)*

*Speakers include: Damian Bugg QC, Commonwealth Director of Public Prosecution (Australia), Robert Richter QC (Australia)*

## **The Geography of Crime (Session 4.1)**

With continual advances in technology and travel, multi-jurisdictional criminal behaviour is as common as it is concerning. To ignore the relationship between individual societies and the criminal acts committed within them, and across their borders, is perhaps to sit with one's back to the sea from where the tsunami is coming.

*Session Chair: Glen Cranny (Australia)*

*Speakers include: Judge Garry Forno (Australia)*

## **Prisoner Exchange: The movement of prisoners, pre- and post-trial (Session 5.1)**

You do the crime – You do the time! But where? Do you serve all the time in a prison in the country where the crime was committed, or should you be repatriated to the country of your citizenship. This session will examine some of the arrangements between countries of this region and the effects of the placement of prisoners serving time in custody for crimes committed in countries other than their own, on the prisoners themselves, on the countries who imprison them and on the victims of such crimes.

*Session Chair: Chris Callaghan (Australia)*

*Speakers include: Tom Percy QC (Australia)*

## **Capital Punishment: Different views in the Asia-Pacific region (Session 8.1)**

Many countries have abolished capital punishment, but do the events of 9/11 justify a re-think and are there crimes so heinous that capital punishment would be the only appropriate response? Alternatively, is capital punishment a state sanctioned crime?

*Session Chair: Terry Martin SC (Australia)*

*Speakers include: The Hon Justice Ian Callinan AC, Justice of the High Court of Australia (Australia), Tony Glynn SC (Australia), KS Rajah SC (Singapore)*

## **Creative Sentencing & Plea Bargaining: Does it happen and what are the results? (Session 9.1)**

"What good will it do anyone sending **anyone** to jail?" It is a commonly asked question when courts sentence offenders. Is there a better way? What are the realistic alternatives to incarceration? It is a problem faced by all jurisdictions - how best to punish offenders so that offending behaviour is dealt with appropriately, and yet so that society most benefits. Should we be looking further at options such as chemical intervention for sexual offenders? Victim-offender mediation? Restorative justice? Increased community contribution or education for offenders? Perhaps capital punishment is the answer? Does plea-bargaining have a proper role in such a scheme? Our eminent speakers will address you on the legal, social and moral minefield that is CREATIVE SENTENCING.

*Session Chair: Michael Quinn (Australia)*

*Speakers include: Robert Mulholland QC (Australia), Nick Cowdery AM QC (Australia)*

## **Indigenous Justice - Indigenous laws at the colonial interface (Session 10.1)**

What are the possibilities for the recognition and exercise of indigenous jurisdiction in criminal law? How does colonial law accommodate indigenous laws? What ways can indigenous jurisdiction be recognised and how can indigenous rights maintain their legitimacy in a post-colonial environment?

*Session Chair: Professor Larissa Behrendt (Australia)*

*Speakers include: Zac Sarra SM (Australia), Ian Barker QC (Australia), Kerenga Kua (Papua New Guinea)*

## **The Media & Criminal Law (Session 12.1)**

The effect that the press has on the carriage and outcome of criminal proceedings can work both for and against the system. Examination of the conflict between the public's right to know, the defendant's right to a fair trial and the onus on the judiciary to be seen to be delivering justice will form the basis of this session.

*Session Chair: Colin Lovitt QC (Australia)*

*Speakers include: The Hon Paul de Jersey AC, Chief Justice of Queensland (Australia), Mark Trowell QC (Australia)*

## Stream 2: DISPUTE RESOLUTION & LITIGATION

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### Expert Witnesses (Session 4.2)

This session will explore the trend of the Courts in most jurisdictions moving to restrict the number of expert witnesses called in a proceeding. In most jurisdictions, experts must now formally acknowledge that their primary duty is to assist the court. These trends will be reviewed and the working of new rules will be evaluated. The problems will be looked at from the perspective of the courts and the expert witnesses themselves.

*Session Chair: Justice Glenn Williams (Australia)*

*Speakers include: Justice Peter McLellan (Australia), Dr David Morgan (Australia)*

### Advocacy (Session 5.2)

It is a fact of life that little, if any, of the time spent studying law at university is spent dealing with the art of advocacy and in particular, the actual performance of that art. Experience has shown that much of the art of an advocate can in fact be acquired.

*Session Chair: Dan O'Gorman (Australia)*

*Speakers include: Justice Murray Kellam (Australia), Justice James Douglas (Australia), Philip Jeyeratnam (Singapore)*

### e-Courts - Reality or Mythology (Session 7.1)

This session seeks to explore the technology issues including costs associated with building an e-Court, the savings made with an e-Court hearing and practical problems such as the lack of permanent e-Courts within Australia. There will also be a discussion of developments in e-Courts in Asia and the Pacific Region.

*Session Chair: Sheryl Jackson (Australia)*

*Speakers include: Sandra Potter (Australia), Phil Farrelly (Australia)*

### International Arbitration & Expert Determination: (Session 13.1)

The process of arbitration and its growing use and acceptance in the Asia-Pacific region will be the focus of this session, with a particular emphasis on a comparison of the systems used in different jurisdictions. The related issue of expert determination of disputes will also be considered in detail.

*Session Chairs: Chris Lau SC (Singapore), Michael Pryles (Australia)*

*Speakers include: Hon Neil Brown QC (Australia)*

### Tort Law Reform (Session 14.1)

Over the last three years the tort system in every Australian jurisdiction has undergone legislative reform. This "Tort Reform" was in response to a crisis in the liability insurance industry. This session critically examines the arguments used to justify this legislative intervention and asks the questions: Was it necessary and did it go too far?

*Session Chair: Rob Davis (Australia)*

*Speakers include: Justice Peter Underwood AO (Australia), Tom Goudkamp (Australia)*

### Alternative Dispute Resolution in Practice (Session 15.1)

This panel will deal with international trends in ADR practice with a particular focus on mediation. The speakers will address a range of topics including the UNCITRAL Model Law on Conciliation, cross cultural issues in ADR and the role of judges as mediators. The growth of court related mediation throughout common and civil law jurisdictions will also be addressed.

*Session Chair: Professor Nadja Alexander (Australia)*

*Speakers include: Professor Laurence Boule (Australia), Associate Professor Bee Chen Goh (Australia)*

### Dispute Minimisation in the Construction Industry: Keeping the money flowing & protecting the innocent (Session 15.4)

This topic will examine recent developments in the Australian jurisdiction in relation to security of payment and rapid dispute resolution. It will contrast common law and industry initiatives with legislative and government controls recently implemented in the Australian construction sector. Speakers will address the dichotomy of views between parties' right to contract as they see fit with legislative sanctions designed to protect those engaged in the industry who may not have commercial leverage to protect themselves.

*Session Chair: Ross Williams (Australia)*

### Case Management (Session 16.1)

The session will look at case management systems in Australian jurisdictions. Case management is now an accepted part of judicial administration. It is timely to look at its impact and future developments.

*Session Chair: Professor Greg Reinhardt (Australia)*

*Speakers include: Warwick Soden, High Court (Australia) and Ann Matheson (Australia)*

## Stream 3: HUMAN RIGHTS & CONSTITUTIONAL LAW

### International Legal Tribunals & Domestic Law (Session 8.3)

Speakers in this session will examine roles and practices of lawyers in making international criminal justice effective, experiences in humanitarian law in East Asia and in the development of the international criminal court and the international criminal bar. In addition there will be a review of the issues involved in the recent Guantanamo Bay military justice processes.

*Session Chair: Stephen Southwood QC (Australia)*

*Speakers include: Stephen Kenny (Australia), Lex Lasry QC (Australia), Yasushi Higashizawa (Japan), Elise Groulx (Canada)*

### Immigration, Nationality & Domicile: The plight of refugees (Session 9.2)

The Asia-Pacific region sees considerable movement of refugees from varying domestic situations. How these people are treated by the receiving countries in a legal sense has been the topic of wide ranging debate.

*Session Chair: Erskine Rodan (Australia)*

*Speakers include: Dr Mary Crock (Australia), Justice John von Doussa (Australia)*

### Separation of Powers (Session 10.2)

Do politicians (and courts) really know where to draw the line? The Separation of Powers doctrine is one of the most basic components of government. However, the different ways in which it is applied throughout the Asia-Pacific region show that there is no one clear practical way to apply the doctrine to individual systems of government.

*Session Chair: GL Sanghi (India)*

*Speakers include: Professor Greg Graven (Australia) Dr Rajeev Dhavan (India)*

### Human Rights in the Asia-Pacific (Session 13.5)

This session will concentrate on one of the key issues for the nations of the Asia/Pacific region, namely, in human rights terms, are they better served to concentrate on the creation of individual national human rights institutions? Alternatively can courts provide a solution?

*Session Chair: The Hon John von Doussa (Australia)*

*Speakers include: Soli Sorabjee (India), Justice Kishor Govind (Fiji)*

### Prisoners of Conscience (Session 16.3)

The political conditions under which the legal profession has had to operate in a number of LAWASIA countries has, on occasion, seen judges, lawyers, and representatives of legal professional bodies imprisoned for adhering to universally-held views on the rule of law and administration of justice.

*Session Chair: Gordon Hughes (Australia)*

## Stream 4: TRADE & BUSINESS LAW

### Investment Law: When giants awake (Session 3.2)

When Giants Awake – China, India and Foreign Investment in Asia. China and India are in the midst of a spectacular economic boom and development attracting large chunks of the foreign direct investment pie. ASEAN is regrouping and rethinking its strategies. So are other developing countries. What are the changes and implications, the threats and opportunities when the sleeping giants awake? What are the measures and reforms to cope with the changes?

*Session Chair: Jeff Leong (Malaysia)*

*Speakers include: Manoj K. Chhabra (India), Ian McCubbin (Australia)*

### Corporate Governance & Business Regulation (Session 4.4)

Increasingly, governments are responding to major business collapses with more business regulation and lead business bodies are urging improved corporate governance by their members. In Australia the CLERP 9 legislation was largely a response to the collapse of HIH and One-Tel. This trend of increased business regulation is reflected in other parts of the Asia-Pacific region as well.

*Session Chair: Greg Vickery (Australia)*

*Speakers include: Professor Berna Collier (Australia), Masatsugu Suzuki (Japan)*

### Legal Issues in Water Management (Session 5.4)

An overview of the structure of Australian water law and how a state (i.e. Queensland) is meeting its obligations under the law. Emphasis will be placed on environmental flows, meeting obligations to other states (the Murray – Darling compact), interbasin transfers (of interest in China, India and the Mekong) and the trading of water. Similar issues will be covered from an Asian perspective.

*Session Chair: Doug Young (Australia)*

*Speakers include: Dr Poh-Ling Tan (Australia), Lisa Lombardi (Australia)*

### Immigration & Big Business (Session 7.2)

The era of the multinational corporation has brought with it a number of issues related to how companies deal with employment issues. The inability to move staff freely around their various operations is most clearly felt by major multi-national companies.

*Session Chair: Glenn Ferguson (Australia)*

*Speakers include: Bernard Banks (New Zealand), Ranjit Malhotra (India), Maria Jockel (Australia)*

### Maritime Law (Session 8.4)

This session will focus on significant international measures taken in relation to maritime issues such as terrorism, piracy and the marine environment with the aim of exploring the impact that such measures may have on the commercial aspects of shipping.

*Session Chair: Dr Sarah Derrington (Australia)*

*Speakers include: Dr Rosalie Balkin (UK), Paul Willee QC (Australia), Professor Alan Tan (Singapore)*

## Stream 4: TRADE & BUSINESS LAW cont.

### Financial Institutions & Project Aid (Session 9.4)

Enhancing good governance and building capacity to participate in the global economy often require changes to existing domestic legal frameworks. Financial and technical assistance through government overseas aid agencies and financial institutions is playing an increasingly prominent role in the legal and judicial reform processes in many developing countries. The Chief Justice of the Philippines, the Hon Hilario G Davide Jnr, will speak about the judicial reforms in his country made possible by such assistance. Brian Hayes QC, an Australian lawyer, will describe a project in which he is involved to establish a commercial court in the Lao People's Democratic Republic. Arthur Mitchell, General Counsel at the Asian Development Bank in Manila, will address the topic from the perspective of a financial institution which provides aid.

*Session Chair: Justice Margaret Wilson (Australia)*

### Franchising in Asia & the Pacific (Session 10.3)

Although franchising was conceived and born in the west, its future undoubtedly lies in the emerging economies of Asia. The expansion of established international systems has alerted governments, the business community and consumers within the disparate countries within the region to the unique attributes of the business format franchise model and to its economic and commercial benefits. The growth of franchising within the world's most dynamic economic region will nevertheless be accompanied by an increasing emphasis on regulatory issues.

*Session Chair: Stephen Giles (Australia)*

*Speakers include: Professor Andrew Terry (Australia)*

### Energy & Environment (Session 12.5)

Increasingly the management of the external environment and climate change is impacting upon the way energy is both produced and regulated. This session will look at the regulation of climate change in Australia with a paper on the challenge of climate change from the Australian perspective. Further presenters will give an Asia-Pacific and European view to this issue.

*Session Chair: Greg Vickery (Australia)*

*Speakers include: Ian Carruthers (Australia), Dr Soung Soo Kim (Korea), John Versantvoort (Japan/Netherlands)*

### Communications & Media Law - Strike up the band (Session 13.4)

This session will explore the effect of broadband on the media sector. In particular speakers will discuss the growth of this service phenomena and its effect on content acquisition, media regulation, defamation and copyright law. The availability of high speed Internet connections and the growth of content offerings, including movies, music and sport, by Internet service providers is creating a new media paradigm. We will look at how a number of jurisdictions have come to terms with this market reality.

*Session Chair: Chris Shine (Australia)*

## Stream 5: INTELLECTUAL PROPERTY LAW

### Patents & Biotechnology (Session 3.4)

This session will address the general question of whether the law is keeping up with current developments in biotechnology. The session will present patent office approaches to the patentability of biotech inventions throughout Asia. Specifically, the panel will examine the requirements for satisfying threshold tests for inventiveness, disclosure and industrial application.

*Session Chair: Mary Padbury (Australia)*

*Speakers Include: Dr Pravin Anand (India), Ms Kim O'Connell (Australia), Dr Bill Pickering (Australia)*

### Internet Issues (Session 5.5)

This session will range across developments in copyright, privacy and patent law. Speakers will present papers on international copyright law in the digital age, whether common law intellectual property doctrines such as breach of confidence can be extended to provide rights of personal privacy in the internet context and the implementation of patent protection for internet technologies.

*Session Chair: Dr Anne Fitzgerald (Australia)*

*Speakers include: Isabella Ho (Thailand), Lucinda Jones (Australia), Peter Bartlett (Australia)*

### Knowledge Ownership (Session 10.4)

In the "information age", knowledge has become a critical - and valuable - business asset. Increasing attention is being paid to the various ways of protecting business information and in pursuing remedies in the event of unauthorised disclosure. It is increasingly important for lawyers - and their clients - to be familiar not only with the nature and implications of contractual constraints, but also the impact of both the common law and legislation on confidentiality obligations.

*Session Chair: Professor Christoph Antons (Australia)*

*Speakers include: Etsuo Doi (Japan), Professor Margaret Jackson (Australia), Robert Dean (Australia)*

### Future of Intellectual Property (Session 13.3)

In almost all areas of intellectual property concerns have been expressed in some quarters that there is now "over-protection" which is prejudicial to the public interest. Alternatively, innovators are saying that the reverse is the case and that the advance of technology is such that traditional forms of IP protection are inadequate. Has there been an over-emphasis on the protection of the rights of the creators? Have patent and trade mark offices shifted from positions as guardians of the public interest in regulating the creation of proprietary rights in some cases, through reduced examination standards? Or, are these, and ever stronger measures, necessary to stem the tide of piracy and infringement?

*Session Chair: Des Ryan AM (Australia)*

*Speakers include: Dato Kandan (Indonesia), David Webber (Australia), Justice Annabelle Bennett (Australia), Professor Dan Hunter (USA)*

### Indigenous Ownership of Intellectual Property (Session 16.5)

Cases involving ownership of copyright in traditional culture have created considerable interest in a number of Asia/Pacific countries. Speakers will address this topic from experiences in New Zealand, Australia and Asia.

*Session Chair: Alan Moyle (Australia)*

*Speakers include: Philip McCabe (New Zealand), Colin Golvan SC (Australia)*

# Stream 6: LEGAL PRACTICE

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## Multi Disciplinary Practices & ILPs (Session 3.3)

Business interests in multi-disciplinary legal practice and the corporatisation of law firms have significant implications for:

- ethical underpinnings of the legal profession;
- the way law is practised;
- the structure and management of law firms;
- the profits and distribution of work.

This exciting session will bring together expert lawyers who have been involved in managing MDPs as well as national and international experts who will speak about trends and issues involved in this new way of lawyering.

*Session Chair: Professor Tania Sourdin (Australia)*

*Speakers include: Ian McGill (Australia), Professor John Gray (Australia)*

## National Profession (Session 4.5)

This session will be an important showcase for the national profession process as it moves towards reality in Australia. The session will be of particular interest to international delegates from jurisdictions with varied regional legal regulation systems.

*Session Chair: Rod Smith (Australia)*

## Reservation of Legal Work (Session 7.3)

This session will examine the concept of reserving areas of legal work for lawyers and its rationale, the relevance to and impact of competition policy on that concept, and what minimal regulation is required of legal service providers to ensure that consumers of legal services are protected.

*Session Chair: Mark Richardson (Australia)*

## Equal Opportunity in Law (Session 8.2)

This session will consider whether there is a place for Equal Opportunity in the Law, and if so, whether the causes of minority and other disadvantaged groups within the legal profession and judiciary should be considered and progressed. The session will particularly consider whether issues such as a person's race, sex, marital status, religion or physical disability should be relevant to opportunities provided for in the field of legal employment, and if so, how?

*Session Chair: John North (Australia)*

*Speakers include: Malathi Das (Singapore)*

## Mobility of Legal Professionals (Session 12.3)

The professional habits of lawyers and their colleagues have changed dramatically over the last two decades. The increased desire amongst legal professionals to use their expertise in different legal systems, in different areas of practice, in different areas of business and in different combinations of all of these merits regional examination.

*Session Chair: Alan Cameron (Australia)*

## e-Practice: The changing face of law (Session 14.2)

It has been predicted that modern developments in information and communications technology will transform the practice of law beyond recognition. This session will examine the impact of technology on:

- Online systems for legal transactions, e- Conveyancing;
- transactions between courts and law firms, e-Filing;
- practice management and the delivery of legal services.

Speakers from Australia and overseas will provide an insight into the challenges and opportunities that technology poses for current legal practice.

*Session Chair: Anne Wallace (Australia)*

*Speakers include: John Barry (Australia), Wendy London (New Zealand)*

## Australian Legal Services in Asia & the Pacific (Session 14.5)

The International Legal Services Advisory Council is a body appointed by the Australian Attorney-General to advise the government on strategies to create opportunities overseas for Australian lawyers. Members of ILSAC will speak about initiatives in international legal education, global access, international cooperation, and international ADR. This session offers Australian delegates the chance to learn about opportunities which are being opened up for them internationally. For international delegates, it demonstrates what initiatives are being undertaken by Australians to tap into regional markets.

*Session Chair: Sir Laurence Street AC KCMG QC (Australia)*

## Self-Represented Litigants (Session 15.2)

Members of the public have the right, recognised by statute and court rules, to appear unrepresented. However, when this occurs, there are very significant impacts on the curial system. This session will examine the nature of that impact on judges, barristers, and court staff. Attention will be directed to measures designed to lessen adverse aspects of that impact.

*Session Chair: Justice Robert Nicholson (Australia)*

## Pro Bono Practice (Session 16.2)

The requirements for delivery of legal services on a pro bono basis varies greatly around the region. This is an important topic for all practitioners as the current growth of pro bono practice is a concrete means of promoting a positive image of the legal profession. This session will focus on various methods of delivery of this legal aid.

*Session Chair: John Coker (Australia)*

# Stream 7: FAMILY LAW

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## Civil & Syariah Family Law Potential Conflicts (Session 7.4)

Lawyers are frequently required to consider complex issues of conflict of laws between two states where a breakdown of a marriage occurs between parties from different cultures. The increase in the mobility of families around the world suggest that these difficulties will increase in the future. The potential for conflict between a dual system in a particular country will be discussed with focus on Malaysia and Singapore.

*Session Chair: Andrew Davies (Australia)*

## Family Structures & Family Law (Session 8.5)

This session will consider current proposed amendments to the Australian Marriage Act including regulation of marriage of same sex partners, de facto property laws and referrals of power. Additionally it will present a different perspective from a legal system strongly linked to religious values.

*Session Chair: Donna Cooper (Australia)*

## The Interface Between Bankruptcy & Family Law (Session 12.2)

This session is to examine the important and complex changes to bankruptcy and family property laws following the Bankruptcy and Family Law Legislation Bill 2004, the Family Law Amendment Act 2003 and the Family Law Amendment Bill 2004. This package of legislation has the potential to dramatically change family law in Australia and has wide impacts on the commercial world. They will involve third parties, impact on insolvency practitioners, creditors and commercial organisations usually outside the scope of such disputes.

*Session Chair: Robert Benjamin (Australia)*

## Alternative Dispute Resolution in Family Law (Session 14.3)

The importance and efficacy of mediation and alternate dispute resolution (ADR) in Australian family law is well established. This session will review ADR from several aspects of the Australian system and developments in Asia and the Pacific will also be considered.

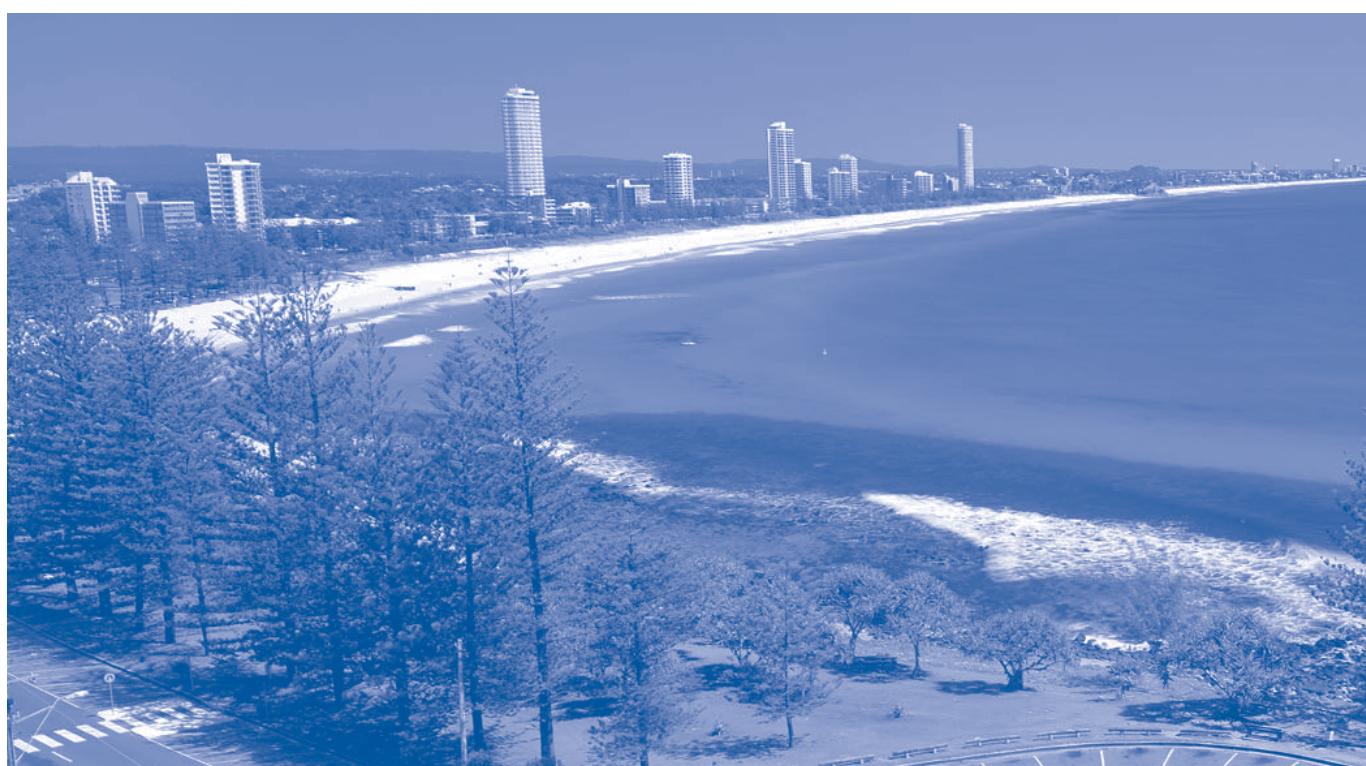
*Session Chair: Iyla Davies (Australia)*

## Superannuation & Third Parties (Session 15.5)

As people in communities age, they generally endeavour to make some arrangements for the time when they are no longer able to work. In Australia, this is undertaken by way of compulsory superannuation, voluntary superannuation, government pension, private pension and retirement savings. In many families, the private collection of these retirement benefits adhere to the breadwinner and not necessarily the spousal partner who has the care of the child. This session is designed to look at a variety of approaches to the splitting of superannuation in jurisdictions over the Asia Pacific Area.

*Session Chair: Robert Benjamin (Australia)*

*Speakers include: Garry Watts (Australia)*



# Stream 8: PROPERTY & SUCCESSION LAW

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## Plain Language & Property Law (Session 7.5)

This session will examine the use of plain language in property law. In particular the session will consider if lawyers can safely use plain language in property law. To do this it will consider the assumptions that lie behind the use of plain language in law. It will also review recent research, examine relevant drafting techniques and look in particular at problems posed by "terms of art". It will also consider what judges have said about the use of plain legal language.

*Session Chair: Michael Meadows (Australia)*

*Speakers include: Professor Peter Butt (Australia)*

## e-Conveyancing & e-Transactions (Session 9.3)

Steps toward the electronic conveyancing of land are being taken in a number of jurisdictions worldwide. Partial systems are already operating in Canada, New Zealand and Australia while ambitious planning for a fully electronic conveyancing system is being undertaken in England. This session considers the common critical issues that have arisen in each of those jurisdictions and how these issues have been addressed to enable the particular system to meet the needs of the users. The session concludes by looking at future challenges faced by those jurisdictions seeking to introduce a fully electronic conveyancing system.

*Speakers include: Professor Sharon Christensen (Australia), Professor Bill Duncan (Australia)*

## International Tax & Estate Planning for Individuals Changing Residence Within the Asia-Pacific Region (Session 12.4)

This session will focus on the provision of legal advice to individuals who change residency within the region. Issues to be addressed include income tax planning, estate duty/inheritance tax planning, the interaction of domestic tax residency tests with applicable double tax treaties and mechanisms for mitigating tax exposures. Some consideration will be given to inbound tax planning issues of migrants to Australia and returning ex patriots. Because of the number of countries in the region the session will not give an in depth analysis of the tax treatment in any particular jurisdiction but will seek to provide a useful overview of the issues, common principals, planning opportunities and pitfalls.

*Session Chair: Peter Wilson (Australia)*

*Speakers include: John Hart (New Zealand)*

## Philanthropy & the Law (Session 13.2)

One of the most significant developments for our community in recent years has been the growing awareness of the importance of philanthropy. Philanthropic support is overwhelmingly delivered within a legal framework. Those delivering it understandably wish to maximise and protect the support they provide. Lawyers are generally at the forefront of ensuring that:

- gifts are tax deductible;
- trust deeds are appropriately drafted;
- wills incorporate proper bequest provisions for charitable organisations;
- corporate governance of charitable foundations complies with government regulations.

This panel discussion will explore these themes and provide perspectives from those who actively participate in a variety of ways in philanthropic activities.

*Session Chair: Lee Lin Chin (Australia)*

*Speakers include: Professor Michael Good (Australia), Professor Malcolm Cope (Australia)*

## International Trusts (Session 14.4)

International Trusts: an examination of the fundamentals of international trusts and the general duties of trustees in the context of international trust litigation. Resort to the use of offshore trusts has, for many decades, attracted a perhaps undeserved reputation as a vehicle frequently used by criminals to deposit and hide the proceeds of crime. The reputation continues to die hard in this field of jurisprudence. In reality, both domestic and international trusts have a long history of utility as a means of safeguarding assets and enforcing the wishes of the creator of the trust.

*Session Chair: Phillip McGowan (Australia)*

*Speakers include: Damien Mullins SC (Australia)*



# Stream 9: LEGAL EDUCATION

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## **Teaching of Legal Ethics (Session 4.3)**

In the process of looking for a common core, this session will examine differences in attitude and conduct which are considered acceptable in the profession in various jurisdictions. By identifying common and disparate elements in ethics curricula, the session will highlight an essential core of good law practice and seek universal principles that underpin an understanding of the role of the legal profession.

*Session Chair: Professor Kay Lauchland (Australia)*

## **Judicial Education: How do judges keep up to date? (Session 5.3)**

For the judiciary to remain independent it is crucial that a continuing comprehensive education system is in place. This session will examine how judges keep up to date by looking at practical examples from judges across the region.

*Session Chair: Professor Gregory Reinhardt (Australia)*

*Speakers include: Hon Chief Justice RC Lahoti (India), Hon Justice John Doyle (Australia)*

## **Admission to Practice: Practical legal training and other admission routes (Session 9.5)**

Lawyers have traditionally been admitted in a particular jurisdiction. Many lawyers no longer confine their practice to the particular jurisdiction in which they were first admitted. Those lawyers practice in multiple jurisdictions relying on intra-national and trans-national mutual recognition or reciprocal admission arrangements. What role and responsibilities do local admitting authorities have in ensuring fitness to practice at the point of admission in that context?

*Session Chair: Allan Chay (Australia)*

## **Admission of Foreign Lawyers (Session 10.5)**

Globalisation, rapidly changing trade patterns and growing interest in the efficiency with which services are delivered have increased the interest of governments and business alike in efficient, effective, competitive legal services around the globe.

Some countries are finding ways to open up access to their legal services markets while preserving core values. Others have taken a more conservative approach to delivery of legal services.

*Session Chair: Russell Miller (Australia)*

*Speakers include: PH Parekh (India)*

## **Continuing Professional Development (Session 15.3)**

With the push towards the development of a national professional structure the issue of continuing legal education (CLE) has come under the microscope. The introduction of mandatory CLE has already occurred in both New South Wales and Victoria, whilst Queensland is on the cusp of introducing a similar program. A comparative view from Hong Kong will be presented. This session will explore the impact of Continuing Professional Development on the profession.

*Session Chair: Bill O'Shea (Australia)*

*Speakers include: Lester Huang (Hong Kong), Amanda Blesing (Australia), Peter Lyons (Australia)*

## **Educating New Entrants to the Legal Profession (Session 16.4)**

The Council of Australian Law Deans (CALD) is concerned with communicating to the legal community the significant developments which have been made in legal education since the publication of the Pearce Report in 1987.

*Session Chair: Professor Paul Fairall (Australia)*

*Speakers include: Professor Michael Adams (Australia), Associate Professor Sally Kift (Australia), Anne Trimmer (Australia)*

# Stream 10: JUDICIAL STREAM

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## **Changes to Court Systems in the Region (Session 3.5)**

A panel of three to four Chief Justices of the region will discuss issues of pertinence under this general topic. This session will be a useful update to judges and practitioners alike.

*Session Chair: The Hon Chief Justice David K Malcolm AC (Australia)*

## **Updating International Judicial Standards (Session 4.6)**

A leading international lawyer will describe the recent development of new international standards for the judiciary, the compilation of all the standards proclaimed and the principle themes and topics dealt with by them.

*Session Chair: The Hon Justice Robert Nicholson AO (Australia)*

## **Arbitration: A viable alternative to judicial resolution? (Session 5.6)**

A former judge and present arbitrator will speak on the opportunities in the LAWASIA region for international commercial arbitration and its viability in comparison to judicial resolution of commercial disputes.

*Session Chair: The Hon Chief Justice David K Malcolm AC (Australia)*

# Accompanying Persons Program

The following events and tours are included in the accompanying persons registration fee of \$425.00. Please note that additional tickets to individual tours and events listed below will be available for sale during the conference at the tours desk.

## Sunday 20 March

### Welcome Reception

Commences: 6.00pm  
Venue: Conrad Jupiter's Hotel  
Dress: Business attire or smart casual

## Monday 21 March

### Currumbin Wildlife Sanctuary Tour

Departs: 1.30pm  
Returns: 5.30pm  
Dress: Casual (shoes suitable for walking recommended)  
Currumbin Wildlife Sanctuary is home to the world's largest collection of Australian native animals. With over 27 hectares of landscaped surrounds and bushland catering for over 1400 mammals, birds and reptiles, Currumbin Wildlife Sanctuary offers a unique natural experience. Take in the sights of Australia by visiting the Currumbin Wildlife Sanctuary where you can see native animals face to face in natural surroundings. The tour departs from and returns to the Gold Coast Convention and Exhibition Centre.

## Tuesday 22 March

### O'Reilly's & Canungra Valley Vineyards

Departs: 9.00am  
Returns: 4.30pm  
Dress: Casual (shoes suitable for walking recommended)

A full day tour experiencing the natural beauty of this World Heritage area as we ascend above the surrounding coastal plain to the cool quiet rainforests of Lamington Plateau and through to the green mountains of O'Reilly's. Walk through the tree tops 16 metres above the forest floor and view the ancient Antarctic Beach trees. Descending the range we travel through the Canungra Valley to arrive at the Canungra Valley Vineyards where the magnificent homestead Killowen is our venue for lunch. During lunch you will have the opportunity to sample some of the award winning wines while enjoying the breathtaking surroundings of the vineyard. The tour departs from and returns to the Gold Coast Convention and Exhibition Centre.

## Wednesday 23 March

### Conference Dinner

Commences: 7.00pm  
Venue: Gold Coast Convention and Exhibition Centre  
Dress: Business attire or national dress

# Social Events

## Welcome Reception - Sunday 20 March

Commencing at 6.00pm on Sunday 20 March, the Welcome Reception will be held at the *Pavilion Lawn* at *Conrad Jupiter's Hotel*. The hotel is within 5 minute's walk of the conference venue, (GCCEC) and is connected by a covered walkway. The reception includes a barbecue dinner with beverages and will conclude at 9.00pm.

Tickets: 1 (one) ticket included in full delegate registration fees  
1 (one) ticket included in accompanying person's registration fees  
Additional tickets available at a cost of \$70 each  
Dress: Business attire or smart casual

## Theme Night - Monday 21 March

The Theme Night is an optional at extra-cost function for all delegates, accompanying persons and guests. The function will be held at Australia's leading marine theme park, *Sea World*. Return transport from Gold Coast Convention and Exhibition Centre, dinner, beverages and unique entertainment are included. Departing from the Gold Coast Convention and Exhibition Centre at 6.30pm, returning at 10.30pm.

Tickets: Optional at extra cost for all delegates, accompanying persons and guests  
\$95 per person (\$45 for children under 12 years old)  
Dress: Smart casual recommended

## Conference Dinner - Wednesday 23 March

The Conference Dinner will be held in the *Arena* at the *Gold Coast Convention and Exhibition Centre*, commencing at 7.00pm and concluding at midnight. This elegant event will feature entertainment, dancing and a superb three course menu accompanied by fine Australian wines.

Tickets: 1 (one) ticket is included in full delegate registration fees  
1 (one) ticket is included in accompanying person's registration fees  
Additional tickets available at a cost of \$125 each  
Dress: Business attire OR national dress

## Optional Golf

The LAWASIAdownunder2005 golf event will be held at the *Lakelands Golf Club* on Tuesday 22 March 2005. Transport will depart from the Gold Coast Convention and Exhibition Centre at 12 noon. Tee off will be at 12.30pm (shotgun start) and the round will conclude at 5.15pm. This will be followed by a barbecue at the Lakelands club house.

Transport will depart Lakelands at 7.30pm, arriving at the Gold Coast Convention and Exhibition Centre at approximately 7.45pm. Cost per person is \$150, inclusive of transport, green fees, barbecue and beverages. Bookings for the golf must be made on your conference registration form.

# Associated meetings

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Many special interest and other meetings will be held in conjunction with the conference. These will be held at the Gold Coast Convention and Exhibition Centre and also at the adjacent Conrad Jupiter's Hotel.

## Standing Committee of Attorneys-General (SCAG)

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The Standing Committee of Attorneys-General seeks to achieve uniform or harmonised legislation and other action within the portfolio responsibilities of Commonwealth, State and Territory Attorneys-General, and provides a forum for discussion by Ministers of matters of mutual interest. The Committee also oversees the national classification scheme for film, video and computer games.

The Standing Committee usually meets three times a year, hosted and chaired on a rotational basis among the jurisdictions. The NSW Attorney-General's Department hosts the Secretariat.

## 16<sup>th</sup> Meeting of the Presidents of Law Associations in Asia (POLA)

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The Law Council of Australia will be hosting the 16<sup>th</sup> meeting of the Presidents of Law Associations in Asia (POLA) to be held during the LAWASIA conference on Sunday 20 and Monday 21 March 2005. This prestigious annual POLA meeting is a unique forum in terms of the opportunity it provides for the leaders of the Bars and Law Societies in Asia to meet and discuss topical policy issues involving the legal profession in the various jurisdictions.

## Law Council of Australia 34<sup>th</sup> Australian Legal Convention

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The convention comprises Directors meetings, Executive meetings, Section meetings and special interest group meetings. The theme of the convention will be the independence of the legal profession in Asia.

## Legal Education Workshop

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### Sunday 20 March

Commences: 2.30pm  
Concludes: 5.00pm

This workshop aims to bring together academics from throughout the LAWASIA region to consider current issues relating to teaching and learning law, particularly internationalisation of the law degree curriculum and to highlight key areas of legal research throughout the region and the way to build stronger research collaboration. The Workshop will provide the opportunity for academics within the LAWASIA region to once again unite and develop an ongoing forum for the exchange of ideas. Convenors: Professor Brian Fitzgerald (QUT), Professor Mary Hiscock (Bond University) Robert Benjamin (Watts McCray).

It is necessary to register separately for this workshop. For further information and registration form please forward your details to [legalworkshop@ccm.com.au](mailto:legalworkshop@ccm.com.au) or fax to +61 7 3369 3731.

## Pre-post Conference Tours

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The Gold Coast is an excellent starting point from which to visit other parts of Australia. The wonders of the Great Barrier Reef, luxuriant tropical rainforests, the excitement of major capital cities and the unique Australian outback are all accessible via daily air services from the Gold Coast airport and nearby Brisbane airport.

A range of special, attractively priced pre and post tour options are available to LAWASIAdownunder2005 delegates. For information and reservations please visit the official conference website [www.lawasiadownunder.com](http://www.lawasiadownunder.com) and select the Pre & Post Tours option.

# Important Information

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## Cancellations

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All cancellations must be notified to the Secretariat in writing (surface mail, e-mail or facsimile transmission). Where notice of cancellation is received by the Secretariat on or before 1 February 2005, registration fees will be refunded less an administration charge of \$160. No refunds are available for any cancellations notified after 1 February 2005. However you may nominate a replacement delegate without charge up to 15 March 2005. After 15 March 2005 a fee of \$65 shall apply to transfer a registration to another delegate. Tickets purchased for social events are non refundable. Refund of accommodation deposits and/or pre-payments is at the discretion of the accommodation establishments.

## General

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All details in this brochure are subject to change without notice. For the latest details please check [www.lawasiadownunder.com](http://www.lawasiadownunder.com)

## Important

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Delegates, accompanying persons and guests are advised to effect their own insurance to cover all risks including (but not limited to) costs of travel, accommodation, conference registration, injury/death, health and medical expenses, personal property and all other risks. The conference, host organisations and organisers will not be held liable for any claims under any circumstances.

## Visas and quarantine

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All travellers, except New Zealand citizens, must obtain a visa before travelling to Australia. A visa may be a stamp or label in a passport, or - for some travellers - can be an electronic record authorising travel into Australia. You should apply for your visa not less than two months prior to your intended departure.

Australia has strict quarantine regulations that are enforced at international airports and all points of entry. For full information on visas and quarantine, please visit the official conference website [www.lawasiadownunder.com](http://www.lawasiadownunder.com) and select the *Visas and Quarantine* option.

# Accommodation

**Accommodation on the Gold Coast in March is in exceptionally heavy demand due to the Easter and school holidays which commence immediately after the conference. We urge you to book your accommodation as soon as possible.**

The conference has negotiated attractively discounted rates at the following hotels. To reserve accommodation at these hotels you must complete the accommodation reservation request section on your delegate registration form (or on the on-line registration form). A deposit of \$200 (or credit card guarantee) is required with your reservation request.

Single: A room with one Double or Queen size bed

Double: A room with one Queen or one King size bed

Twin: A room with two separate beds  
- usually two Double beds

Please note the following important details:

- All rates are expressed in Australian Dollars (AUD) on a per room, per night, room only basis unless otherwise stated;
- Rates quoted are for a maximum of two (2) persons in a room. A surcharge applies per additional person;
- Rates include Australian GST (Goods and Services Tax) of 10%;
- A cancellation fee may be charged by hotels in the event of cancellation of reservation or non-arrival;
- Due to Easter and school holidays, some hotels are charging different rates for nights before and after the conference. 'During Conference' rates expressed below are available only on the nights of Sunday 20 March through to and including the night of Thursday 24 March 2005;
- Room type descriptions (all rooms feature en-suite and facilities).

Hotel	Rating guide	Room Types	Rate
<b>Conrad Jupiter's Hotel and Casino</b> <i>Closest hotel to Gold Coast Convention and Exhibition Centre and connected to it by covered elevated walkway. Located on its own river island, Conrad features 24 hour casino, numerous restaurants and entertainment options and all the services and facilities expected of a five star international hotel, including pool and health club.</i>	*****	Rates applicable before, during and after Conference: Resort Room - Single - Double - Twin Executive Floor Rooms - Single - Double - Twin	\$190.00 \$190.00 \$190.00 \$235.00 \$270.00 \$270.00
<b>Grand Mercure Broadbeach</b> <i>Under five minutes walk from Convention Centre. The hotel is located in the Broadbeach retail and dining precinct and is surrounded by shops, restaurants and cafes. The hotel itself offers dining facilities and pool.</i>	****	During Conference Rates (nights of Sunday 20 to Thursday 24 March) - Single - Double - Twin Rates before Sunday 20 March and after Thursday 24 March - Single - Double - Twin	\$199.00 \$199.00 \$199.00 \$229.00 \$229.00 \$229.00
<b>Sheraton Mirage Gold Coast</b> <i>Unique resort with absolute beachfront location at Main Beach, approximately 15 minutes by road from Convention Centre. Deluxe services and facilities including pool, lagoons, tropical gardens, private beach access, casual and formal restaurants.</i>	*****	<b>Pre and during Conference rates: Lagoon and Garden Rooms</b> - Single - Double - Twin Higher rates apply for dates after the Conference (Easter week end) – please contact Secretariat for details.	\$240.00 \$240.00 \$240.00
<b>Crowne Plaza Surfers Paradise Hotel</b> <i>Conveniently located approximately ten minutes walk from Convention Centre, Crowne Plaza features pool, leisure facilities, business lounge, restaurant and bar.</i>	*****	Rates applicable before, during and after Conference (subject to availability after conference) Gold Tower - Single Club room with spa - Double Club room with spa Eldorado Tower - Single room - Double room - Twin room	\$210.00 \$210.00 \$160.00 \$160.00 \$160.00
<b>Surfers Paradise Marriott Resort</b> <i>Located on the river in Surfers Paradise (approximately 20 minutes by road from Convention Centre), the Marriott is a five star hotel with extensive resort facilities including swimable lagoon, leisure activities and a selection of restaurants.</i>	****	Pre and during Conference rates: - Single - Double - Twin Rates after Thursday 24 March: - Single - Double - Twin	\$215.00 \$215.00 \$215.00 \$280.00 \$280.00 \$280.00

The Broadbeach area offers a wide range of luxury apartment buildings featuring two bedroom/two bathroom apartments, many with ocean views. Over the Easter/school holiday period, these apartments have a minimum stay requirement of seven nights and most require full payment in advance.

If you are interested in luxury apartment accommodation, please contact the Conference Secretariat advising the dates you require. Please forward your enquiry to Leanne Archer (email: leanne@ccm.com.au; Tel: +61 7 3368 2644; Fax: +61 7 3369 3731).

Please note that apartments are in exceptionally heavy demand over this period and are subject to availability.

# Conference Registration Fees

Registration type	Early	Standard	Late	On-site
Form and payment must be received by dates shown	Registration & payment received by 15 December 2004	Registration & payment received by 21 February 2005	Registration & payment received by 15 March 2005	Registration & payment received after 15 March 2005
<b>MEMBER</b>				
- Full conference	\$1595.00	\$1695.00	\$1795.00	\$1895.00
- One day registration	\$ 495.00	\$ 495.00	\$ 595.00	\$ 595.00
<b>NON MEMBER</b>				
- Full conference	\$1695.00	\$1795.00	\$1895.00	\$1995.00
- One day registration	\$ 550.00	\$ 550.00	\$ 650.00	\$ 650.00
<b>LAWASIA DISCOUNT</b>				
- Full conference	\$ 795.00	\$ 845.00	\$ 895.00	\$ 945.00
<b>ACCOMPANYING PERSON</b>	\$ 425.00	\$ 425.00	\$ 425.00	\$ 425.00

## How to Register

You may register for LAWASIAdownunder2005 by mail, fax or using the on-line registration form. Please note that full payment of conference registration fees must accompany your registration form. Registration forms received without payment will not be processed or acknowledged.

### On-line registration

On-line registration is only available to delegates using credit card payment. American Express, Diners Club, MasterCard and Visa are accepted. Go to [www.lawasiadownunder.com](http://www.lawasiadownunder.com) and select the *Registration* option.

### Register by fax

Complete the Delegate Registration Form in this brochure. Payment must be made by American Express, Diners Club, MasterCard or Visa. Fax both sides of the form to: + 61 7 3369 3731

### Register by mail

Complete the Delegate Registration Form contained in this brochure. Payment may be made by:

- Credit card (American Express, Diners Club, MasterCard or Visa);
- Cheque drawn on an Australian bank made payable to *LAWASIA Conference*;
- International bank draft payable in Australian dollars (AUD) made payable to *LAWASIA Conference*.

#### Mail the form to:

LAWASIAdownunder2005  
PO Box 177,  
Red Hill QLD 4059  
Australia

#### or send the form by courier to:

LAWASIAdownunder2005  
Office 14, First Floor,  
The Red Hill Centre,  
152 Musgrave Road,  
Red Hill QLD 4059 Australia

## Registration Types & Eligibility

**Members** – the following delegates may register using the members registration fees:

- LAWASIA currently financial members;
- Queensland Law Society members;
- Delegates attending meetings at the Australian Legal Convention.

**LAWASIA Discount** – these special registration fees are available to:

- LAWASIA life members, LAWASIA ExCo and Council members;
- LAWASIA individual members who reside in LAWASIA Category A countries (being Afghanistan, Bangladesh, Bhutan, Cambodia, East Timor, Indonesia, DPR of Korea, Lao PDR, Mongolia, Nepal, Pakistan, Solomon Islands, Vietnam).

**Accompanying Person** registration is available to partners and spouses of delegates registering to attend the conference.

**Non Member** registration fees apply to all delegates other than those specified above.

### Registration Inclusions

**Full conference** registrations include conference materials, attendance at all sessions, lunch and morning/afternoon teas per program, one ticket to the welcome reception and one ticket to the conference dinner.

**One day** registrations include conference handbook, attendance at sessions on day of registration and lunch, morning/afternoon tea on day of registration.

**Accompanying persons** registration includes one ticket to the welcome reception, tours (see accompanying persons program) on Monday and Tuesday and one ticket to the conference dinner.

# Delegate Registration Form

This form also acts as a Tax invoice

Office use:

Queensland Law Society ABN 33 423 389 441

**IMPORTANT:**

1. Please complete each section
2. A separate form must be used for each delegate
3. Where  appears, indicate preference with an **X**
4. A signature must appear on this form

## LAWASIAdownunder2005

XIX Biennial LAWASIA Conference | 34th Australian Legal Convention | 44th QLS Symposium | 11th Conference of the Chief Justices of Asia Pacific

20-24 March 2005 | Gold Coast Queensland Australia



**5. Return this form to:**

Conference Secretariat

PO Box 177. RED HILL QLD 4059, AUSTRALIA

**or:** FAX: + 61 7 3369 3731 with credit card details

**OR** Register On-line at [www.lawasiadownunder2005.com](http://www.lawasiadownunder2005.com)

### 1. DELEGATE DETAILS – *please complete all details*

Delegate name: ..... Prof/Dr/Mr/Ms First name Surname

Organisation: .....

Position: .....

POSTAL address: .....

..... City/region State/Province Post/Zip Code Country

Telephone: (   ) ..... Facsimile: (   ) .....

E-mail address: .....

Please indicate here if you do not wish to receive information from conference partners

### 2. CONFERENCE & EVENTS REGISTRATION – *all Registration fees shown are payable in Australian Dollars (AUD) & include GST*

#### 2a) CONFERENCE:

Please refer to registration brochure (or [www.lawasiadownunder2005.com](http://www.lawasiadownunder2005.com)) for eligibility guidelines for member, non member, early, standard and concession registration rates. Eligibility guidelines and cut off dates will be applied. Correct full payment must accompany this form.

Registration Type	EARLY Available to 15 December 2004	STANDARD Available to 21 February 2005	LATE Available to 15 March 2005	ON SITE Received after 15 March 2005
<b>Member</b>				
- Full conference	<input type="checkbox"/> \$1595.00	<input type="checkbox"/> \$1695.00	<input type="checkbox"/> \$1795.00	<input type="checkbox"/> \$1895.00
- One day registration	<input type="checkbox"/> \$495.00	<input type="checkbox"/> \$495.00	<input type="checkbox"/> \$595.00	<input type="checkbox"/> \$595.00
<b>Non Member</b>				
- Full conference	<input type="checkbox"/> \$1695.00	<input type="checkbox"/> \$1795.00	<input type="checkbox"/> \$1895.00	<input type="checkbox"/> \$1995.00
- One day registration	<input type="checkbox"/> \$550.00	<input type="checkbox"/> \$550.00	<input type="checkbox"/> \$650.00	<input type="checkbox"/> \$650.00
<b>LAWASIA Discount</b>				
- Full conference	<input type="checkbox"/> \$795.00	<input type="checkbox"/> \$845.00	<input type="checkbox"/> \$895.00	<input type="checkbox"/> \$945.00

If registering for one day, please show day attending:

Monday 21 March  Tuesday 22 March  Wednesday 23 March  Thursday 24 March

#### 2b) EVENTS:

**Welcome Reception - Sunday 20 March**

Please indicate if you will be attending:

Attending  Not attending

**Conference Dinner - Wednesday 23 March**

Please indicate if you will be attending:

Attending  Not attending

**Theme Night - Optional - Monday 21 March**

Tickets optional at extra cost for all delegates  Adult tickets @ \$95: \$ .....

Cost: \$95.00 per person (adults); \$45.00 (per child)  Child tickets @ \$45: \$ .....

**Golf Event - Optional - Tuesday 22 March**

Optional at extra cost \$150.00 per person  Adult @ \$150: \$ .....

#### 2c) ACCOMPANYING PERSON:

Accompanying Persons Registration at \$425.00 \$ .....

Name: ..... Mr/Ms/Mrs First name Surname

### 3. ACCOMMODATION RESERVATION REQUEST

See brochure or website for accommodation list and rates. Deposit of \$200 (or credit card guarantee) is required with your reservation request.

#### 3a) SELECT HOTEL & ROOM TYPE:

<input type="checkbox"/> <b>Conrad Jupiter's Hotel &amp; Casino</b>	<input type="checkbox"/> Resort Rooms	<input type="checkbox"/> Single	<input type="checkbox"/> Double	<input type="checkbox"/> Twin
	<input type="checkbox"/> Executive Floor	<input type="checkbox"/> Single	<input type="checkbox"/> Double	<input type="checkbox"/> Twin
<input type="checkbox"/> <b>Grand Mercure Broadbeach</b>		<input type="checkbox"/> Single	<input type="checkbox"/> Double	<input type="checkbox"/> Twin
<input type="checkbox"/> <b>Sheraton Mirage Gold Coast</b>		<input type="checkbox"/> Single	<input type="checkbox"/> Double	<input type="checkbox"/> Twin
<input type="checkbox"/> <b>Crown Plaza Surfers Paradise</b>	<input type="checkbox"/> Gold Tower	<input type="checkbox"/> Single	<input type="checkbox"/> Double	<input type="checkbox"/> Twin
	<input type="checkbox"/> Eldorado Tower	<input type="checkbox"/> Single	<input type="checkbox"/> Double	<input type="checkbox"/> Twin
<input type="checkbox"/> <b>Surfers Paradise Marriott Resort</b>		<input type="checkbox"/> Single	<input type="checkbox"/> Double	<input type="checkbox"/> Twin

#### 3b) THE DATES YOU REQUIRE:

**Arrival** (check-in) date: ..... March 2005      **Departure** (check-out) date: ..... March 2005

#### 3c) RESERVATION DEPOSIT – a deposit of \$200 or credit card details must accompany this reservation request.

**Deposit of \$200 included in attached payment, OR**

**Please guarantee my arrival on the following credit card.**

*Note: Credit card details will be passed on to hotel – this deposit will not be charged to your credit card by the Conference.*

**Card Type:**    American Express    Diners Club    MasterCard    Visa    Bankcard (Australia only)

Name on Card: ..... Cardholders Signature: .....

Card Number: ..... Expiry date: .....

### 4. SPECIAL REQUIREMENTS

Please advise any special requirements (dietary, access, non-smoking room etc) so that appropriate arrangements can be made:

### 5. PAYMENT – full payment must accompany this form.

#### PAYMENT REQUIRED:

**Delegate registration fee (2a):** \$ .....

**Optional events tickets (2b):** \$ .....

**Accompanying person registration fee (2c):** \$ .....

**Accommodation deposit (3c):** \$ .....

(do not include here if your provided credit card details above)

**TOTAL:** \$ .....

#### PAYMENT METHOD:

Cheque/international Bank Draft (Payable to LAWASIA Conference) attached

Please charge my credit card:

**Card Type:**    American Express    Diners Club    MasterCard    Visa    Bankcard (Australia only)

Name on Card: ..... Cardholders Signature: .....

Card Number: ..... Expiry date: .....

### 6. Signature – all forms must be signed below.

I wish to register for LAWASIAdownunder2005 and acknowledge the registration terms including the cancellation policy:

Signed: ..... Name: ..... Date: .....



Please complete reverse side of Registration Form