



**BANCO**  
\_\_\_\_\_ CHAMBERS



## ABOUT BANCO

**Banco Chambers** is widely recognised as one of Australia's leading barristers' chambers, specialising in complex commercial litigation. We have 30 members of varying levels of seniority, including seven of Australia's leading Silks. We are a progressive and youthful chambers located in two modern commercial spaces in the Reserve Bank of Australia building and Chifley Tower. Our Head of Chambers is Robert Newlinds SC. Our inaugural Head of Chambers was Justin Gleeson SC, the current Solicitor-General for the Commonwealth.

Our members provide specialist advice in a diverse range of practice areas and advocacy of the highest calibre in all Australian courts and tribunals. Our members regularly appear in domestic arbitrations, as well as international arbitrations seated in Australia and leading arbitral venues such as Singapore, Hong Kong, London and New York.

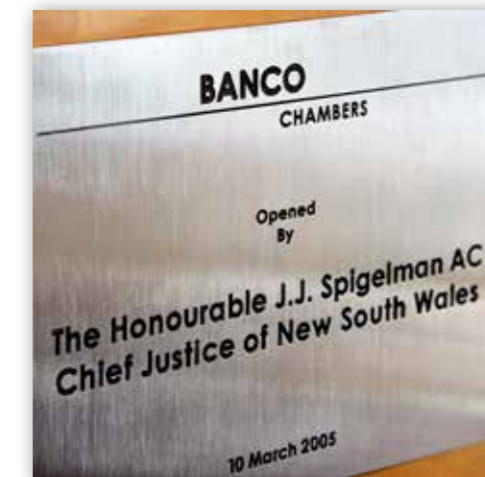
Banco members are regularly retained by leading national and international law firms to appear and advise on the most difficult commercial disputes. Our barristers are widely recognised for their ability to successfully advocate cases in all courts and

tribunals, as well as for their deep knowledge of the law, technical excellence, strategic insight and independent commercial judgement as to how best to prosecute their clients' interests. Many of our barristers have been recognised by their peers as leading barristers by respected publications such as *Chambers & Partners*, *Asia-Pacific Financial Review's Best Lawyers* and *the Australian Financial Review's Best Lawyers*.

Members of Banco have strong academic backgrounds and an ongoing commitment to the intellectual development of the law.

"Sydney dominated the ranking of chambers, with Banco at the top."

Source: Chambers & Partners



# OUR AREAS OF PRACTICE

A number of Banco barristers lecture on a part-time basis in undergraduate and postgraduate courses at the University of Sydney and the University of New South Wales. They also give regular seminars to the profession in their areas of expertise, and contribute to, or are the authors of, learned journals and publications such as *Rediscovering Rhetoric*, *Statutory Demands and Winding Up in Insolvency* and *Historical Foundations of Australian Law*. Many of our members are also admitted in overseas jurisdictions and have had extensive academic and professional experience before coming to the Bar. This experience includes serving as former High Court, Federal Court and Supreme Court associates, postgraduate study at leading universities in England and the United States such as Oxford, Cambridge, LSE (London), Harvard and Yale, and as lawyers at leading New York, London and Australian law firms.

Each year we invite the most talented lawyers to become readers based on the highest academic achievement, depth and nature of previous legal experience — especially in litigation and related disciplines — and interview performance.



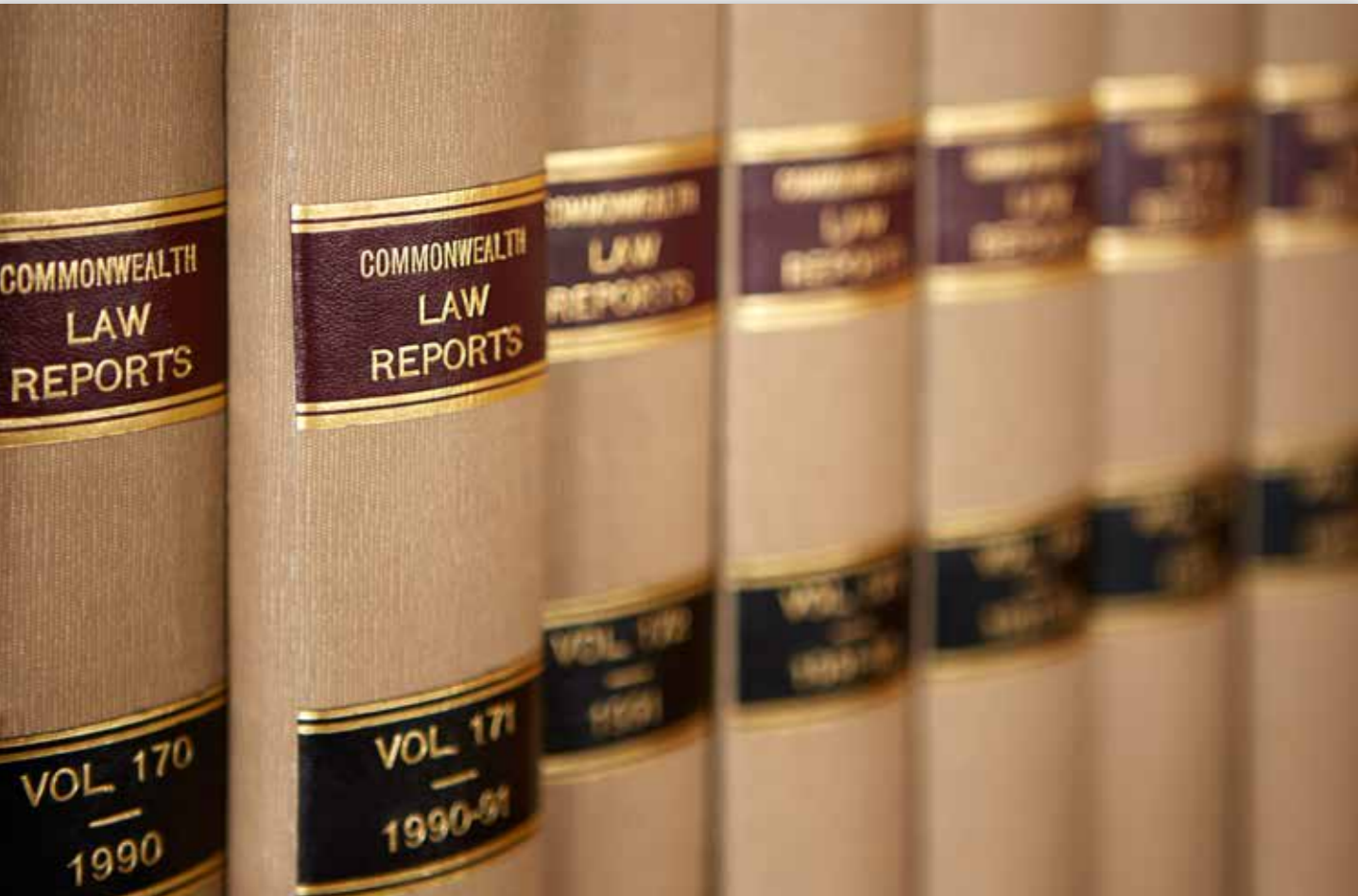
Commercial law is Banco's core emphasis. However, our barristers have avoided narrow specialisation and many of our members also practice regularly in public law and related areas. Our members, across all levels of seniority, are recognised as leading practitioners in each of the specific areas of practice outlined here. In addition, our members provide superior advocacy in disputes relating to these matters in all Australian courts and tribunals. Our barristers also regularly appear in commissions of inquiry and in arbitrations, domestically and internationally.

Appellate work also constitutes a large part of the work of our members, encompassing almost all aspects of civil litigation and occasionally criminal law (especially white-collar crime). That appellate work regularly involves difficult questions of constitutional law. Our barristers have appeared in a large number of High Court appeals on matters of public importance and significance to the legal profession.

In all cases, superior and specialised advocacy is at the heart of what we do. Our main focus within chambers is to cultivate, recognise and promote excellence in advocacy.

# COMMERCIAL LAW

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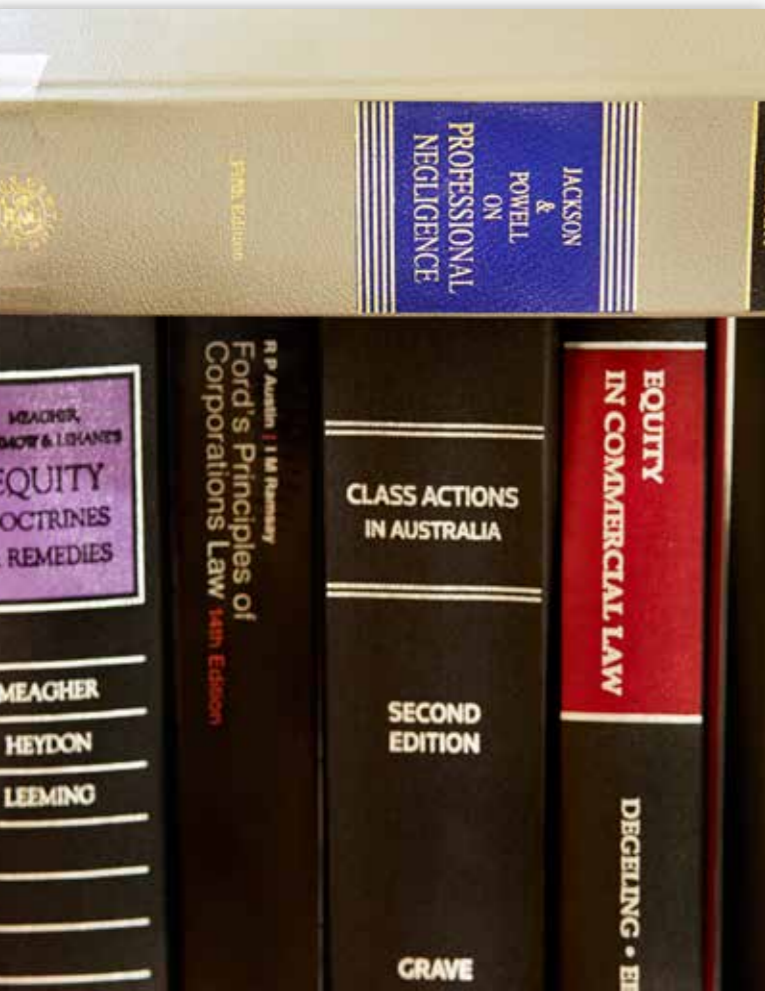
Our commercial practice is deep and varied. It encompasses advocacy and advisory work across a wide range of commercial areas at both trial and appellate level. Our members have a deep familiarity with the essential provisions of key statutes such as the *Corporations Act 2001* and the *Competition and Consumer Act 2010*. This includes extensive experience and knowledge of the law in some of the more specialist areas of commercial law.

Much of the civil litigation in New South Wales is practised in the Equity Division of the Supreme Court (general and commercial list). These cases require a firm grounding in the principles of equity. All members have this grounding and apply their knowledge and experience across the full range of commercial disputes throughout all Australian courts and tribunals.

We conduct regular seminars internally to ensure our members are aware of the latest developments in commercial law and practice.

## CORPORATIONS AND INSOLVENCY

Most of Banco's members have extensive experience advising and appearing in respect of all aspects of company law and insolvency issues. This includes securities class actions, claims relating to breach of directors' duties, schemes of arrangement and oppression proceedings. Our members are regularly instructed to appear and advise on matters raising new and difficult issues of insolvency law. Many of our members have extensive experience conducting liquidators' examinations. Our barristers include some of the leading commentators in insolvency law and the recently introduced *Personal Property Securities* legislation. A number of our barristers are acknowledged as leading practitioners in corporations and insolvency law.



## COMPETITION AND CONSUMER LAW/ REPRESENTATIVE PROCEEDINGS

We have some of Australia's leading practitioners in the areas of competition and consumer law. Our members have experience acting for parties across a wide variety of industry sectors, representing the ACCC and companies and individuals for the subject of investigative or enforcement action. Many of our barristers have also been involved in the leading representative proceedings of recent years, including competition and consumer law cases and shareholder class actions.

## PROFESSIONAL LIABILITY

Our members have substantial experience in claims for professional negligence in State Supreme Courts around Australia or in the Federal Court. Often those claims arise in complex multi-party proceedings with several defendants and our members have substantial experience in the conduct of those types of complex proceedings.

## INSURANCE/REINSURANCE

Much of the major commercial litigation over recent years has involved an insurance or reinsurance aspect. Our members regularly act for, and provide advice to, both insurers and insureds in all kinds of insurance disputes, including those relating to Professional Indemnity policies and Directors & Officers policies.

## EQUITY/PROPERTY

Our expertise in Equity extends to disputes concerning wills, trusts (constructive, charitable and otherwise) and construction suits. Banco members also appear in substantial disputes raising equitable issues concerning leases, mortgages, partnership disputes and general contractual disputes. This includes large and complex family law and trust disputes involving the equitable division of property, as well as applications for all forms of equitable relief such as specific performance, injunctions and freezing orders.

## INTELLECTUAL PROPERTY

Our barristers advise and act in disputes involving all aspects of intellectual and industrial property law, including trademarks and passing off, copyright and patents. Some of our members have represented large corporate clients in the most significant intellectual property disputes of recent times, including the Apple/Samsung litigation.

## TAXATION AND REVENUE

Some of the most complex and important disputes in which our barristers have been engaged concern taxation and revenue, including the anti-avoidance provisions of Australian taxation law. Banco's members have appeared for both taxpayers and the Commissioner of Taxation in a wide range of tax cases in the Administrative Appeals Tribunal and the Federal Court, and in appeals to the Full Federal Court and the High Court of Australia.

## BUILDING, CONSTRUCTION AND TECHNOLOGY

Members of Banco regularly appear in the Technology & Construction List of the Supreme Court of New South Wales and in the Supreme Courts of Western Australia, Queensland and Victoria. Their experience extends to a wide range of disputes, including those involving Public Private Partnerships, civil infrastructure, mining, energy, telecommunications and commercial and residential buildings.

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*Some of our members have represented large corporate clients in the most significant intellectual property disputes of recent times.*

# INTERNATIONAL ARBITRATION

Banco members regularly act in major domestic and international arbitrations in a range of fields, particularly the areas of building and construction, forestry, renewable energy, mining, and oil and gas.

Members of Chambers have been engaged by leading national and international law firms in substantial arbitrations in recent years, including international arbitrations seated in Australia and leading arbitral venues such as Singapore, Hong Kong, London and New York. This has included arbitrations conducted under the following procedural rules:

- UNCITRAL
- ICC (International Chambers of Commerce)
- SIAC (Singapore International Arbitration Centre)
- LCIA (London Centre for International Arbitration)
- ACICA Rules

Our members have appeared in leading judicial decisions relating to the development of arbitral law. Our expertise in this area extends to all aspects of private international law (choice of law, jurisdiction, stay, anti-suit injunctions and enforcement of foreign judgements). These disputes often involve a need to understand and apply both conflict of law rules and the substantive law of a foreign governing jurisdiction. The diverse legal background of many of our members is particularly suited to disputes of this kind.

Senior members of Chambers are regularly appointed as experts and independent adjudicators in a range of areas including the construction of commercial contracts and complex insolvency issues. Senior members of Chambers have been engaged as arbitrators, and are available to act as arbitrators and experts in complex commercial disputes.



# PUBLIC LAW

Several members of Chambers have experience in all areas of public law disputes, including constitutional law, judicial review and merits review matters. Many matters in this area end up in the High Court of Australia and those members of Chambers are skilled and experienced in the conduct of complex constitutional litigation in the High Court. In addition to domestic public law matters, some of our members are also experienced in international public law disputes, including investment treaty arbitrations.



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## OTHER



Several senior members of the floor are renowned leaders in defamation law and practice, with unparalleled experience in acting for leading media organisations and corporations and prominent media personalities.

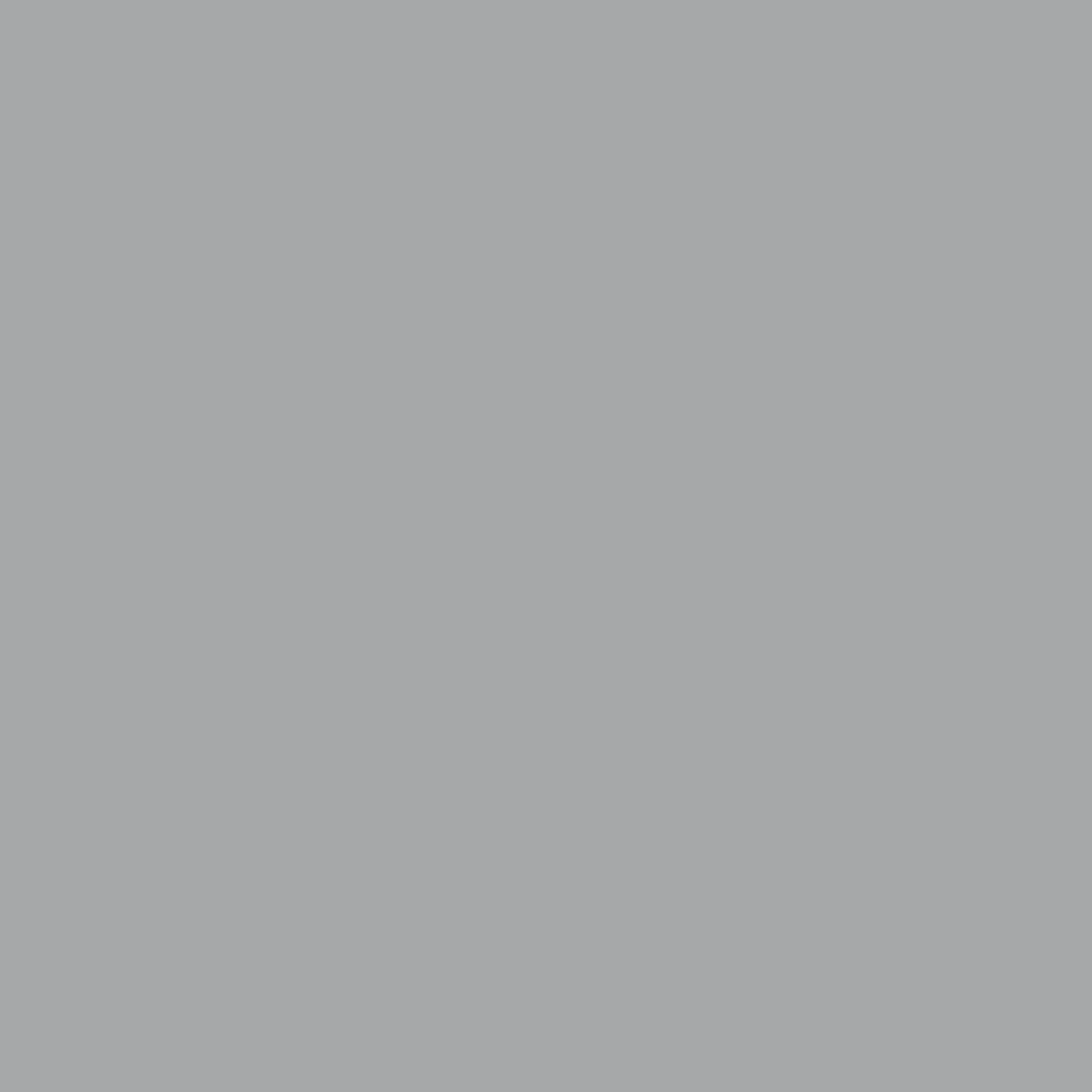
Many members of Chambers have particular expertise in relation to the telecommunications and media industries, including cases concerning telecommunications regulation, compulsory access to declared services and pay television.

A number of Banco barristers are also experienced in matters of employment and industrial law, particularly where the dispute intersects with aspects of commercial law, such as restraints of trade and misuse of confidential information, as disputes in this area often do.

For more information about our Chambers and the leading practices of each of our members visit our website at [banco.com.au](http://banco.com.au)

Image courtesy of [abc.net.au](http://abc.net.au)







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