

Jane Buncle

Banco Chambers | 9/2 Chifley Square, Sydney, NSW 2000 | (02) 9376 0617 | jane.buncle@banco.net.au

Education

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| 2014 – 2015 | University of Oxford
Bachelor of Civil Law (Distinction)

Brasenose College
Subjects focusing on commercial arbitration, international public law, evidence and civil procedure
Oxford University Hockey Club (Oxford Blue) |
| 2009 – 2011 | University of Edinburgh
Graduate LLB (Distinction)

Placed 3rd in graduating class
Margaret Balfour Keith Prize in public and administrative law
Chairman of the Graduate Law Society
Social Chair on the Law Students Council
Edinburgh University Lawn Club |
| 2005 – 2007 | Charles Sturt University (Bathurst)
B.A Media Communications – Journalism (Distinction)

Exchange scholarship to University of Georgia
University tennis team |

Admissions

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| 2016 | Barrister, New South Wales Bar |
| 2013 | Solicitor, Supreme Court of NSW and High Court of Australia |

Selected cases

High Court

Banerji v Minister for Immigration and Border Protection & Ors [2017] HCATrans 101 (on appeal – led by K Richardson SC) – application for show cause; writs of certiorari.

International Arbitrations

Samsung C&T Corporation v Duro Felguera Pty Ltd (SIAC Arb. Case No. 065/16) (led by A Archibald QC; J Sheahan QC; J Redwood)

Supreme Court

Admark Property Group Pty Ltd (in liq) v GJ Building and Contract Pty Ltd [2016] NSWSC 1309 (led by D Sulan) – contempt; corporations.

In the matter of Blue Sennar Air Pty Ltd (in liq); In the matter of Eye Plantain Pty Ltd (in liq) [2016] NSWSC (led by D Sulan) – corporations; insolvency.

Amanda Young (liquidator of Admark Property Group Pty Ltd) v Manbead Pty Limited (led by D Sulan) – interlocutory; freezing order.

Admark Property Group Pty Ltd (in liq) v GJ Building and Contracting Pty Ltd [2017] NSWSC 118 (led by D Sulan) – contempt, sentencing.

Freiberg & Ors v Keller & Ors 2016/151840 (settled – led by M Darke SC) – Corporations Act; oppression.

Beaumont v Peel & Len Peel Holdings Pty Ltd & Ors 2017/142978 (led by R A Dick SC, Dr J A Watson) – Corporations Act; oppression.

New Start Trading Group v Norman Stanley Hayde & Anor 2016/00326760 (settled - led by R C A Higgins) – real property; estoppel; breach of contract.

Wollongong Coal Pty Limited v PCL (Shipping) Pty Ltd (2017/186881) (led by Chris Withers) – contract; declarations regarding arbitration agreement.

ET China.com International Holdings Limited & Anor v Christopher Peter Rose & Anors 2017/96917 (led by N Bender) – conflict of laws; Corporations Act.

Federal Court

Chief Executive Officer of the Australian Transaction and Analysis Centre v Tabcorp Ltd & Ors NSD 852/2015 (settled – led by J Sheahan SC, P Breerton SC, Dr R C A Higgins, S Merzabegian) – anti-money laundering and counter terrorism; civil penalty.

Kimberly Diamonds Ltd, in the matter of Kimblery Diamond Company Pty Ltd (in liq) [2016] FCA 1016 (led by D Sulan) – bankruptcy and insolvency.

Federal Circuit Court

Richardson & Ors v Timothy James Ford & Ors [2017] FCCA 341 (unled) – costs application.

CMQ16 v Minister for Immigration and Border Protection & Anors SYG2413/16 (unled) – migration; application for judicial review.

District Court

JunJun Wu v Zhong Bao Liu [2017] NSWDT 165 (unled) - acting for a judgment creditor in public examinations; enforcing a judgment against the judgment debtor.

Wei v Su [2017] NSWDT 142; [2017] NSWDT 156 (unled); [2017] NSWDT 1134 (unled) – acting on various applications including an application to set aside subpoenas; application for adjournment of trial; substituted service orders.

Martin Kirkby v Muir McDougall 2016/0023411 (settled - unled) – acting on behalf of a boat owner in a detinue and conversion claim.

Local Court

Ennis Traffic Safety Solutions Pty Ltd v Select Coating Pty Ltd 2016/375412 (settled - unled) - acting for a company seeking relief for misleading and deceptive conduct under a contract for the supply of building products.

AMAC v Walkinshaw 2017/1404409 (unled) - acting for a market leading motorsport company in a dispute over a hire purchase agreement.

Valvoline (Australia) Pty Ltd v Territory Maintenance Solutions Pty Ltd & Anor (settled – unled) – acting for a plaintiff in a claim for a breach of supply contract.

NSW Civil & Admin Tribunal

Dinakar v Eyles & Dunlop [2016] NSWCATAP16 42489 (unled) - acting for a landlord in a residential tenancies dispute.

Advisory matters

Advising a multi-national property and infrastructure company regarding their public liability insurance policy.	Public liability insurance; building and construction.	Led by RA Dick SC
Advising an individual regarding a valuation report issued as part of major family law dispute.	Contract; professional negligence; misleading and deceptive conduct; privilege; corporations act.	Led by Peter Brereton SC
Advising a national publicly listed company regarding possible corporate criminal sanctions under the <i>Criminal Code</i> .	Criminal code; corporate liability; statutory construction.	Led by Nicholas T Robinson QC
Advising a NSW statutory body regarding their long service leave obligations and entitlements.	Long Service Leave Corporation Act 2010; statutory construction.	Led by TL Wong
Advising a multi-national technology, construction and engineering company on issue waiver and prospective liability in Singapore based arbitration proceedings.	Issue waiver; estoppel; arbitration.	Led by JA Redwood
Advising a national publicly listed company regarding their possible liability under a new Australian penalty regime.	Anti-money laundering and counter terrorism; civil penalty proceedings.	Unled
Advising refugee on grounds for judicial review of the Immigration Assessment Authority?	Migration Act; judicial review.	Unled (pro bono)

Experience prior to call

Oct 2011 – Sep 2014 Aug 2015 – May 2016	Herbert Smith Freehills (Sydney) Solicitor – Dispute Resolution Group Supervising partners: Jason Betts and Peter Butler OAM Focus on commercial, regulatory and class action disputes.
May – Sep 2011	United Nations HQ New York – Mediation & Conflict Resolution Summer Intern
May – Sep 2010	North Australian Aboriginal Justice Agency (NAAJA) Advocacy and Civil disputes teams

Publications

Reporter for the Federal Court Reports and Federal Law Reports

Buncle J, “*Is a reference date a precondition to the validity of a payment claim?* [2017] (Autumn) Bar News 16.

Buncle J, Whitehead L, "*The enforceability of mediation agreements*" Australian International Dispute Centre Bulletin, Edition 5 Volume 4, 28 October 2013

Buncle J, Whitehead L, "*Should Alternate Dispute Resolution be compulsory in legal education?*" Australian International Dispute Centre Bulletin, Edition 5 Volume 4, 28 October 2013

Buncle J, "*UK, devolution and the creation of a federal state*" Edinburgh Student Law Review, 2010, Volume 1, Issue 3, pages 13-18

Other

June 2016 – present	Duty Barrister (Civil)
November 2016 – present	Refugee Case Worker Service (Volunteer Barrister)
October 2016	CIArb/ACICA Tribunal Secretaries course
2005 – present	Member of the Monte Sant' Angelo Mercy Foundation Co-founder of the Class of 2004 scholarship and bursary fund.
1993 -2003 2017 - present	Member of the Manly Life Saving Club NSW (1996-2002) and Australian Championships representative (2002).