

# Jane Buncle

---

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

## Education

---

- 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

---

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

## Selected cases

---

### Banking / Anti-money laundering

*Chief Executive Officer of the Australian Transaction and Analysis Centre v Tabcorp Ltd & Ors* NSD 852/2015 (settled – led by J Sheahan QC, P Brereton SC, Dr RCA Higgins, S Mirzabegian) – anti-money laundering and counter terrorism.

*Chief Executive Officer of the Australian Transaction and Analysis Centre v Commonwealth Bank of Australia* NSD 1305/2017 (led by J Sheahan QC, S Mirzabegian, N Bender) - anti-money laundering and counter terrorism.

*Commonwealth Bank of Australia v Australian Retirement group Pty Limited & Anor* (led by K Morgan SC) – class action; ASIC Act; misleading and deceptive conduct.

### Bankruptcy and insolvency

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

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

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

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

*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.

### **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) – misleading and deceptive conduct; repudiation; estoppel.

### **Contract**

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

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

*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.

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

*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.

*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 Walkinsbaw* 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.

### **Admin / Constitutional law**

*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.

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

## 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

---

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

---

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