

Select Cases

Tax

- *Chief Commissioner of State revenue v Seovic Civil Engineering Pty Ltd* [2014] NSWCATAP 94 – Payroll Tax – De-grouping
- *Commissioner of Taxation v Resource Capital Fund III LP* [2014] FCAFC 37 - Income Tax - Double Taxation Agreements with USA - Capital Gains Tax
- *Commissioner of Taxation v Dowling* [2014] FCA 252 - Superannuation - Excess Contributions Tax
- *Commissioner of Taxation v Resource Capital Fund IV LP* (2013) 215 FCR 1 - Collection and recovery of tax - Notice to third party in receipt of money of a foreign resident
- *Uechtritz v Chief Commissioner of State Revenue* [2013] NSWADT 111 - Land Tax - principal place of residence exemption
- *Maraya Holdings Pty Ltd v Chief Commissioner of State Revenue* [2013] NSWCA 408 - Land Tax - primary production exemption
- *ECC Southbank Pty Ltd v Federal Commissioner of Taxation* (2012) 205 FCR 505 - Goods & Services Tax - commercial residential premises
- *Kocic v Commissioner of Taxation* [2011] AATA 47 - Div 7A - calculation of distributable surplus - penalties - procedural fairness
- *Commissioner of Taxation v H* (2010) 188 FCR 440 - Div 7A - calculation of distributable surplus
- *RCI Pty Ltd v Commissioner of Taxation* (2010) 80 ATR 122; (2011) 84 ATR 785 - Part IVA - scheme to avoid payment of capital gains tax
- *Commissioner of Taxation v Gloxinia Investments Ltd* (2010) 183 FCR 420 - Goods & Services Tax - property development - long term leases
- *Travelex Ltd v Commissioner of Taxation* (2009) 178 FCR 434 - Goods & Services Tax -GST free supplies - foreign currency exchange
- *TT-Line Company Pty Ltd v Commissioner of Taxation* (2009) 181 FCR 400 - Goods & Services Tax - consideration - amounts paid by Commonwealth under Appropriation Act
- *Suntory (Aust) Ltd v Commissioner of Taxation* (2009) 177 FCR 140 - Excise -extent of Commonwealth's power to collect excise pending Act of parliament
- *Overseas Aircrew Basing Ltd v Commissioner of Taxation* (2009) 175 FCR 449 - Income Tax -whether Australian resident pilots engaged in foreign service
- *Hornsby Shire Council v Commissioner of Taxation* (2008) 71 ATR 442 - Goods & Services Tax - compulsory acquisition of land

- *McDonalds Australia Ltd v Commissioner of Taxation* (2008) FCA 37 - Application for summary judgment - role of appeal statement
- *Australian Tea Tree Oil Research Institute Ltd (In Liq) v Commissioner of Taxation* (2008) 74 ATR 812 - Exempt Income - whether taxpayer was a - scientific institution
- *SIM Australia v Commissioner of Taxation* (2007) 66 ATR 908 - Fringe Benefits Tax - Exemption - whether taxpayer was a -public benevolent institution
- *Commissioner of Taxation v Indooroopilly Children Services (Qld) Pty Ltd* (2007) 158 FCR 325 - Fringe Benefits Tax - issue of shares to employee benefit trust
- *Moore Park Gardens Management Pty Ltd v Chief Commissioner of State Revenue* [2006] - NSWCA 115
- Payroll Tax - agency contract - whether taxpayer was an employer at common law

Commercial/Insolvency

- *JD Thompson Personnel Pty Ltd v Asgard Capital Management Pty Ltd* [2011] NSWSC 60 - Constitution of restitution proceedings brought by liquidator - sufficiency of parties
- *Huntley Management Ltd v Timbercorp Securities Ltd* (2010) 187 FCR 151 - Managed Investments - consequences of change of responsible entity
- *Australian Olive Holdings Ltd v Huntley Management Ltd* (2010) 185 FCR 97 - Managed Investment Scheme - change of responsible entity - whether replacement responsible entity bound by predecessor's contract
- *Forbes Engineering (Asia) Pte Ltd v Forbes* [2009] FCA 675 - Guarantee & Indemnity - enforcement of profit guarantee
- *Westpoint Management Ltd (in Liq) v QBE Insurance (Australia) Ltd* [2009] NSWSC 989 - Practice & Procedure - late application for leave to amend pleadings
- *Bonvista Pty Ltd v Deputy Commissioner of Taxation* [2009] NSWSC 887 - Application to set aside statutory demand - amendment of originating process
- *Green v AMP Financial Planning Pty Ltd* [2008] NSWSC 1164 - Misleading & Deceptive Conduct - silence & non-disclosure
- *Deveigne v Askar* (2007) 69 NSWLR 327 - Proceedings against deceased person - procedural nullity - costs

Administrative/ Constitutional

- *Commonwealth v Westwood* (2007) 163 FCR 71 - Court Martial - injunctive relief against officer of the Commonwealth
- *New South Wales v Commonwealth* (2006) 229 CLR 1 (Workplace Relations Case) - Industrial Relations - Corporations power - validity of Workplace Relations Amendment (Work Choices) Act 2005

- *Albarran v Members of the Company Auditors and Liquidators Disciplinary Board* (2006) 151 FCR 466
- Judicial power of the Commonwealth

Equity

- *Cameron v Jeffress* [2014] NSWSC 702 - Trusts - Application for Judicial Advice - Ascertainment of trust income

Other

- *Symond v Gadens Lawyers Sydney Pty Ltd* [2013] NSWSC 955 - Professional Negligence - Negligent Taxation Advice - Damages