



CORNEY & LIND

LAWYERS

Schools & Education | Not For Profit & Charity | Commercial | Employment & Discrimination
Family | Estate & Elder | Compensation | Migration & Visas | Criminal & Traffic |
Commercial Litigation

Stay Connected



In This Issue

[Employment: Did you know that misbehaviour outside-of-work, but related to work, can warrant a dismissal?](#)

[Wills: Do you or your loved one have the testamentary capacity to sign a Will?](#)

[Legislative Change: Changes to Limitations of Actions \(Child Sexual Abuse\) and other Legislation Amendments](#)

[KILN: QLS magazine Proctor editorial on KILN](#)

Upcoming Webinars

School Law Series:

[Outsourcing, Contracting and Licensing - Pitfalls and Tips](#) | 07 April 2017

[Top Employment and Independent Contracting Tips for Schools](#) | 16 June 2017

[Structuring to move DGR money to the recurrent expenditure of school operations](#) | 11 August 2017

[Impact of Family Law on enrolments](#) | 20 October 2017

[Managing Parent Debts](#) | 01 December 2017

Contact Us

P | (07) 3252 0011
F | (07) 3257 7890
w | corneyandlind.com.au

Reception -
Suite 43, Level 4,
Royal Brisbane Place,
17 Bowen Bridge Rd,
Herston, QLD 4006



[booklet](#)

NEWSLETTER

31 March 2017

Employment

Did you know that misbehaviour outside-of-work, but related to work, can warrant a dismissal?

Employment law matters can be complex and not confined to actions taken within the workplace. A recent case highlights the importance of when certain behaviour and commentary is unacceptable outside office space.

In this case an employee's behaviour warranted dismissal for serious misconduct committed outside of work where there is a sufficient connection to their employment.

[Eduardo Cruz](#) (Senior Associate) discusses the case of *Rogers v Allianz Insurance Australia T/A Club Marine Insurance* [here](#).



Eduardo Cruz
Senior Associate

Wills

Do you or your loved one have the testamentary capacity to sign a Will?

The recent Supreme Court of Queensland case of *Farrell v Boston* [2016] QSC 278 demonstrates two key principles of succession law.

Firstly, a person must have testamentary capacity in order to execute a valid Will.

Secondly, any mistake of fact claim must be sufficiently proven in order for a court set aside a Will or former grant of probate.

If testamentary capacity is an issue, best practice is to obtain a certification from a medical professional that the will-maker has the capacity to make the Will. Read a summary of this case [here](#).



Kathleen Watt
Associate

Legislative Change

Changes to Limitation of Actions (Child Sexual Abuse) and Other Legislation Amendment Act 2016 (Qld)

The lifting of the limitation period commenced on 1 March 2017.

The lifting of limitations has meant that there is no limitation period for actions of child sexual abuse.

The Legislation states that:

(1) An action for damages relating to the personal injury of a person resulting from the sexual abuse of the person when the person was a child-
(a) may be brought at any time; and
(b) is not subject to a limitation period under an Act or law or rule of law.



Andrew Lind
Director

Furthermore, the survivors of sexual abuse as a child will have their lifetime to consider bringing an action for damages relating to the personal injury resulting from their sexual abuse as a child. In addition, previous dismissals, judgments and settlements where an old limitation period was a factor will not be a road block.

[Andrew Lind](#) (Director) discusses changes to the Act and the relevance of those changes [here](#).

Kingdom International Legal Network (KILN)

Queensland Law Society magazine Proctor editorial on KILN

Thank you to the Queensland Law Society for their Proctor editorial on KILN in their March edition.

KILN is an international network whose purpose is to inspire Christians in the legal community to see and conduct their work as a calling to Kingdom Ministry.

You can read more about KILN on kiln.online

A copy of the editorial can be accessed [here](#).



KILN founding group in Fiji

