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NEWSLETTER

31 October 2016

Summary dismissal clauses: is an employer's opinion enough?

The New South Wales Court of Appeal recently handed down an interesting decision in *Bartlett v Australia & New Zealand Banking Group Ltd* (ANZ) relating to the summary dismissal of an employer for serious misconduct. The question in this case was whether ANZ could summarily terminate an employee who based on their opinion had engaged in serious misconduct or whether they had to prove the employee actually engaged in serious misconduct.

[Natasha Duff](#) (Senior Lawyer) & [Nicola Goodwin](#) (Law Clerk) discuss the decision in *Bartlett v ANZ* [here](#).



Natasha Duff
Senior Lawyer

Protect your personal property rights by registering your security interest on the PPSR - Lessons on the 'PPS Lease' from the Forge case

Forge Group Power Pty Limited v General Electric International Inc [2016] NSWSC 52 sends a clear warning to companies regularly leasing goods to others: perfect the security interests in these goods on the Personal Properties Securities Register ("PPSR") or risk losing them to liquidators or administrators.

This decision of the New South Wales Supreme Court provides helpful guidance as to the meaning of "PPS Lease" and the application of the Personal Property Securities Act 2009 (Cth) ("PPSA") to leases of personal property in the course of business.

[Kathleen Watt](#) (Associate), [Lornagh Howarth](#) (Law Clerk) & [Nicola Goodwin](#) (Law Clerk) discuss this case and the lessons learned [here](#).



Kathleen Watt
Associate

Post separation contributions in property settlements

It is often the case that the financial position of parties when they separate will be different to when property settlement orders are made. If parties come into possession of significant assets post separation, they may feel aggrieved that these assets will be shared at property settlement.

The Family Court of Australia's decision in *Trask & Westlake* was an appeal against a property settlement order that was made 4 years post separation.

[Emario Welgampda](#) (Special Counsel) & [Nicola Goodwin](#) (Law Clerk) discuss the case of *Trask & Westlake* [here](#).



Emario Welgampda
Special Counsel

VIDEO: Introducing our Remote Office, California, USA.

Our [Natasha Duff](#), Senior Lawyer, is operating from our remote office in California, USA. In her field of practice, we can serve Australian employment clients in the early hours of the morning during the week until Saturday morning. We can also assist overseas clients that may have Australian interests.

To know more of this latest offering, watch our video introduction.



