

23 MARCH 2017



LATEST NEWS FROM MST LAWYERS

## AGENTS, ARE YOU READY FOR ESTATE AGENT ACT AMENDMENTS?

As many real estate agents already know, the landscape in Victoria will be shifting shortly in relation to laws pertaining to underquoting. These critical changes in this area of the law cannot be ignored.

[> Learn more](#)



MEET PAUL  
WATKINS

## STEELING \$23,000,000: ONESTEEL ADMINISTRATORS' WINDFALL

The importance of correctly registering security interests is clearly highlighted in the findings handed down from the NSW Supreme Court. A judgement saw that the incorrect use of a client's ABN (instead of ACN) cost Alleasing Pty Ltd ownership of leased assets valued at over \$23 million.

[> Learn more](#)

**SUMMARY OF THE FAIR WORK AMENDMENT (PROTECTING VULNERABLE WORKERS) BILL 2017**

On 1 March 2017, the Fair Work Amendment (Protecting Vulnerable Workers) Bill 2017 ('Bill') had its first reading in Parliament. The Bill proposes to amend the Fair Work Act 2009 ('Act') in an attempt to tackle the issue of employee underpayment in large franchise systems, brought into the spotlight through the media's 2015 investigation into 7-Eleven.

[> Learn more](#)

---

## **CONSTRUCTION PAYMENT CLAIM FAILS WITHOUT REFERENCE DATE**

The validity of a payment claim in a construction contract requires a number of criteria to be fulfilled; one of which is the inclusion of a reference date. Lewence Construction Pty Ltd's failure to include this crucial element proved to be a costly mistake. The court's ruling on this matter should leave no doubt that a reference date in a construction contract is a precondition to making a payment claim.

[> Learn more](#)

---

## **IS YOUR BUSINESS TO BUSINESS LEASE GOVERNED BY THE RETAIL LEASES ACT 2003 (VIC)?**

There has been a gradual broadening of leases that fall within the definition of "retail" under the Retail Leases Act 2003 (Vic) (RLA). It is important that you understand your rights and obligations under these revisions. For many there is still confusion as to whether or not the RLA applies to various leases where the permitted use is for services.

[> Learn more](#)

---

## **NORTHERN TERRITORY YOUTH DETENTION SYSTEM- THE WAY FORWARD**

The problems existing in Australia's youth detention centres are an ongoing concern. While rehabilitation is the ultimate goal, this is clearly not the result for many who go through the system. This piece looks at alternative approaches to managing the real issues facing our young offenders.

[> Learn more](#)

---

## **HERBERT FISCHBACHER, FINALIST FOR THE LAWYER'S WEEKLY 2017 PARTNER OF THE YEAR AWARDS**

MST Lawyers is proud to announce that Workplace Relations Partner, Herbert Fischbacher, is a finalist for the Lawyer's Weekly 2017 Partner of the Year Awards.

[> Learn more](#)

great service sensible solutions

---

**MST Lawyers**

315 Ferntree Gully Road, Mount Waverley  
Victoria 3149 Australia  
PO Box 858 Mount Waverley Victoria 3149 Australia  
DX 32001 Mount Waverley

**T:** +61 3 8540 0200  
**F:** +61 3 8540 0202  
**E:** [mst@mst.com.au](mailto:mst@mst.com.au)

**[www.mst.com.au](http://www.mst.com.au)**

Liability limited by a scheme approved under Professional  
Standards Legislation

MST Legal Pty Ltd trading as MST Lawyers | ABN 49 417 397 084