**Dr Philip Bender – Books, papers, presentations and articles**

**Books**

* Australian stamp duties, published by Taxation Institute of Australia, sole author of this forthcoming book to be published in the first half of 2018 and dealing with stamp duty in all Australian jurisdictions.
* Contributing author, Taxation of Financial Arrangements, book published by Thomson Reuters.
* Contributing author, Business Tax Reform in Prospect and Retrospect, book published by Thomson Reuters.

**Papers and presentations**

**Administrative law**

* *Unreasonableness: a tale of 2 Wrights not making a wrong*, 2017, Leo Cussens (presentation).
* *Administrative law update: natural justice, administrative discretions, and appeals on questions of law*, 2016, Leo Cussens (paper and presentation).
* *Appealing on questions of law from Tribunals*, 2013 and 2014, presentations to the Eastern Suburbs Law Association, the Western Suburbs Law Association, the State Revenue Office and the Victorian Government Solicitor’s Office.

**Bankruptcy and insolvency**

* *Bankruptcy and insolvency law reform and unfair preference case developments*, 2016, Legalwise (presentation).
* *Examples of recent judicial review cases in bankruptcy and insolvency*, 2015, presented to the Melbourne CBD insolvency discussion group.
* *Recent developments in debt recovery, bankruptcy and insolvency*, 2014, Legalwise (presentation).
* *Overview of Cross Border Insolvency Regime*, 2010, presentation to Victorian Bar and NSW Law Society.

**Commercial law and competition and consumer law**

* *Calderbank offers and offers of compromise,* November 2017, Leo Cussens (presentation).
* *Settlements*, October 2017, Leo Cussens (paper and presentation).
* *Resolving disputes involving business sales*, 2016, Legalwise (presentation).
* *Australian Consumer Law: unfair contracts and other litigation*, 2014, Legalwise (presentation).
* *Australian Consumer Law: litigation and recent cases*, 2014, Leo Cussens (presentation).
* *Howard’s case – fiduciary duties*, 2014, presentation to the Victorian Bar and to the Victorian Government Solicitor’s Office.

**Finance and financial services law and securities law**

* *Personal Property Securities Regime*, October 2017, presentation to Macedon Ranges Lawyers Discussion Group.
* *Overview of Personal Property Securities Regime*, 2011, presentation to Victorian Bar.

**Property and construction law**

* *Security of payments legislation – recent cases*, 2017, Legalwise (presentation).

**Taxation**

* *Cross-border tax minimization*, 2016, presented to the Australian Taxation Office.
* *New landholder duty regime*, 2013, Law Institute of Victoria (presentation).
* *Taxation essentials for non-tax lawyers*, 2011, Leo Cussens (presentation).

**Trusts and deceased estates**

* *Trust fundamentals*, October 2017, Society of Estate and Trust Practitioners Conference (paper and presentation).
* *Trust deed drafting and associated issues*, 2017, Legalwise (paper and presentation).
* *Variation of Trust Deeds*, 2013, Legalwise (presentation).
* *Deceased estates and taxation*, 2013, Law Institute of Victoria (presentation).
* *Issues with declarations of trust and settlements after Oswal’s case*, 2013, Tax Institute (presentation).

**Superannuation**

* *Superannuation death benefits*, 2013, Law Institute of Victoria (presentation).

**Published articles**

**Administrative law**

* Casting a Challenge. Law Institute of Victoria Journal, June 2009.

**Bankruptcy and insolvency law**

* Garnishee debt recovery provisions. Taxation in Australia, 2013.
* Saad Investments and cross border insolvency. Law Institute of Victoria Journal, 2012.
* Challenging statutory demands. Law Institute of Victoria Journal, April 2010.
* Australia adopts the UNCITRAL Model Law. NSW Law Society Journal, November 2008.

**International law (including maritime and trade law)**

* An Analysis of the Legal Regime for Krill Protection and Management in the Southern Ocean. Antarctic and Southern Ocean Law and Policy Occasional Paper 9, 2004.
* Sovereignty and foreign government investment in Australia. CCH Tax Week, December 2005.
* Fishing Overcapacity, Subsidies and the WTO System: An Antarctic Focus. Antarctic and Southern Ocean Law and Policy Occasional Paper 10, 2006.

**International law (including maritime and trade law)**

* Trade Restrictions for Antarctic Conservation Under the Free Trade Principles of the WTO System. Southeastern Environmental Law Journal, 2006, Vol 14(2).
* The Precautionary Approach and Management of the Antarctic Krill. European Journal of Environmental Law, 2006, Vol 18(2).
* The World Trade Organisation and Australian tax policy. CCH Tax Week, April 2006.
* Taxing Illegal Fishing: A Proposal for Using Taxation Law to Reduce Profiteering from IUU Fishing Offences (co-authored with Dr Gail Lugten). International Journal of Marine and Coastal Law, December quarter 2007, Vol 22(2).
* State of Necessity: IUU Fishing in the CCAMLR Zone. Ocean & Coastal Law Journal (University of Maine), 2008, Vol 13(2).
* Recent Developments in the Law of the Sea: The Tomimaru and Hoshinmaru cases. International Journal of Marine and Coastal Law, June quarter 2008, Vol 23(2).

**Insurance**

* Life insurance: paying a premium. CCH Tax Week, April 2007.

**Property law, property taxes and trusts**

* Trust stripping is a dangerous game. CCH Tax Week, March 2006.
* Land Tax and Retirement – not much use? CCH Tax Week, February 2007.
* Of Leases, reversionary estates and stamp duty. ATP Thomson Weekly Tax Bulletin, April 2007.
* Stamp duty and changing a responsible entity of a managed fund. ATP Thomson Weekly Tax Bulletin, April 2007.
* Stamp duty exemption for transfers to beneficiaries of a trust. CCH Tax Week, August 2007.
* GST: In specie distributions from a discretionary trust. CCH Tax Week, August 2008.

**Taxation**

* Controlled Foreign Companies and Attribution of Futures/Forward Contract Gains. Tax Specialist, April 2006.
* NANE: The Feeling’s Mutual. ATP Thomson Weekly Tax Bulletin, May 2006.
* Sifting through Value Shifting. ATP Thomson Weekly Tax Bulletin, July 2006.
* Rumble in the Tax Act: 23AJ vs 23AI. CCH Tax Week, August 2006.
* Let’s Get Active! The CGT Participation Exemption. Taxation in Australia, September 2006.
* Division 7A – How Foreign is it? ATP Thomson Weekly Tax Bulletin, January 2007.
* The Financial Institution interest exemption under the US Double Tax Agreement. The Tax Specialist, February 2007.
* Double tax treaties and the new non-resident CGT rules. Australian Tax Review, March 2007.
* Attribution? It is a guarantee. ATP Thomson Weekly Tax Bulletin, March 2007.
* Value Shifting: Avoiding its Perils. Taxation in Australia, March 2007.
* *Indooroopilly* case. CCH Tax Week, March 2007.
* Beware s 47A! Tax Specialist, April 2007.
* Board of Taxation review of the foreign income anti-deferral regimes. CCH Tax Week, June 2007.
* They Should be Institutionalised: the AFI exemptions in the CFC legislation. Tax Specialist, June 2007.
* Lifting the Quarantine with TLAB 4. CCH Tax Week, July 2007.
* Treaties, Trusts and Business Profits: What a Capital Idea! CCH Tax Week, July 2007.
* Foreign tax credits and overseas investment: More reform necessary? Australian Tax Review, March quarter 2008.
* Celebrating the demise of foreign tax credit quarantining. ATP Weekly Tax Bulletin, May 2008.
* Deductibility: revisiting basic concepts in the Spriggs case. CCH Tax Week, September 2008.
* Some recent developments in fringe benefits tax. CCH Tax Week, December 2008.