



**LAW
INSTITUTE
VICTORIA**



2025 Accredited Specialisation Assessment Guidelines

Commercial Law

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Assessment guidelines overview

Lawyers who are accredited as specialists are recognised as having enhanced skill levels, as well as substantial involvement in established legal specialty areas. The Law Institute of Victoria requires such specialists to demonstrate superior knowledge, experience and proficiency in a particular area of law to ensure that recognition as an accredited specialist is meaningful, credible and reliable.

These assessment guidelines should also be viewed in conjunction with the **Application Guidelines** and the **Accredited Specialisation Scheme Rules**.

Performance outcomes

Specialist Accreditation is a structured assessment process that requires the candidate to draw on their existing knowledge and skills to demonstrate their competency and expertise in their chosen area of law.

Practitioners wishing to be accredited should be able to:

1. perform at a superior standard which is expected of practitioners wishing to hold themselves out as specialists in the area
2. display a superior standard of knowledge of the law and procedure which underpins the performance of tasks in this area of practice.

Specific assessment criteria and performance outcomes are listed under the details of individual assessments that follow.

Methods of assessment

The LIV Accredited Specialisation assessments are all delivered in a digital environment. This provides equitable access for all candidates irrespective of location and is also aligned with the nature of legal practice in today's digital world. There is a base level of computer literacy required indicative of the skills required of a specialist lawyer. It is incumbent upon candidates to have access to suitable technology and infrastructure to perform in the most optimal way. Details of these requirements are outlined in [Schedule 6](#).

Three assessments make up the Accredited Specialisation program in **Commercial Law**.

1. [Written Exam](#)
2. [Simulated Interview](#)
3. [Take-Home Assignment](#)

The three assessments are weighted equally, and candidates must achieve a satisfactory grade of at least 50% in all three assessments. Candidates who complete all three assessments to the performance standard are eligible for accreditation as a specialist in commercial law.

The below schedules include further details in relation to each of the three assessments along with details of topics for assessment and relevant legislation that you will need to know to undertake the program.

Candidates may, in any or all of the assessment program, be assessed on any or all of the Assessment Topics and Legislation listed in Schedules [4](#) and [5](#). Further details of the assessment program and procedures are contained in the schedules within.

Candidates will be examined on the law as it stands at the date of assessment.

Results

Results are only released after the completion of all three assessments and with all candidates' results, regardless of area of law being issued on the same day.

As outlined in Rule [4.11.6 of the scheme rules](#), all assessments undergo a rigorous marking process. Any assessment that is deemed to have not achieved a satisfactory result will go through an independent second round of marking before a recommendation is made to grant or deny Accredited Specialisation.

It is important to note the following information about results:

- You will not be provided with individual assessment marks.
- Outcomes are delivered as either satisfactory or unsatisfactory for each assessment component with an overall satisfactory in all three resulting in being granted specialisation.
- Candidate Assessment Reports (CARs) will be provided to candidates on any assessment where an unsatisfactory grade is attained. The CAR will provide constructive feedback for improvement to the candidate. No further feedback or grades will be disclosed.

Supplementary assessment

Candidates may be required to undertake additional assessment at the discretion of the Specialisation Board. The Specialisation Board will only consider a recommendation from an advisory committee for a proposal of a supplementary assessment being offered to a candidate due to exceptional circumstances. Candidates will be notified the decision of the Specialisation Board in their official notification of results.

Key milestones and program timetable

Candidates are advised that the Accredited Specialisation program requires a significant commitment in order to achieve a satisfactory outcome. Based on feedback from previous candidates, the number of hours of study is in excess of 100.

We encourage you to dedicate and manage time in the lead up to and during the assessment period. Candidates need to plan their workload well in advance of the key assessment dates and are encouraged to seek support in the form of study leave from employers where possible to optimise performance across all assessment tasks.

| ITEM | DATE |
|---|------------------------|
| Applications open | 2 December 2024 |
| Early Bird applications close | 7 February 2025 |
| Applications close | 31 March 2025 |
| 2025 Accredited Specialisation Program begins | 1 May 2025 |
| <ul style="list-style-type: none"> Welcome Orientation Session Access to the LIV Student Portal and resources | |
| Candidate support sessions | May–June 2025 |
| <ul style="list-style-type: none"> Study techniques series Online exam platform familiarisation | |
| Candidate self-guided study | May–August 2025 |
| <ul style="list-style-type: none"> Review assessment guidelines & make study notes Form study groups Work with mentors | |
| Practice Written Exam and Familiarisation Exam access available | June–August 2025 |
| Assessment period | |
| Part 1: Written Examination (Schedule 1) | Saturday 9 August 2025 |
| Part 2: Simulated Interview (Schedule 2) | Tuesday 12 August 2025 |
| Part 3: Take-Home Assignment (Schedule 3) | Friday 29 August 2025 |
| Results released | Early November 2025 |
| Conferral ceremony | Early December 2025 |

Note: The above dates are correct at the time of publishing. Should any changes need to occur, they will be communicated directly to candidates throughout their assessment program as early as possible.

SCHEDULE 1: ASSESSMENT COMPONENT PART 1

Written Examination

| | |
|-------------------|---|
| Exam Date: | Saturday 9 August 2025 |
| Time: | Three hours and 30 minutes inclusive of reading, writing and planning time |
| Venue: | LIV online exam platform (refer to application guidelines for full details) |

Assessment overview

The written exam will consist of extended response and multiple-choice questions that will focus on the topics for assessment set out in [Schedule 4](#).

In planning and time management, it is recommended to use the mark allocation per question as a guide.

The examination is divided into two parts:

PART A

- In Part A of the examination, candidates are required to answer ALL questions.
- This section of the exam is in the format of multiple-choice questions.
- Candidates will be expected to demonstrate broad knowledge of matters relevant to practice in commercial law.

PART B

- In Part B of the examination, candidates are required to answer three extended response questions.
- In the extended response questions, candidates will be expected to provide advice in sufficient depth to demonstrate a high level of competence in the topics raised, and the ability to identify and provide guidance on other related issues.

IMPORTANT: To achieve a satisfactory result, candidates must achieve no less than 50% in each part of this assessment.

Assessment criteria

Candidates will be assessed on their knowledge of the law as it stands on the date of the examination, including:

- relevant legislation and procedures
- the common law and relevant cases.

In addition, candidates will be assessed on their ability to:

- identify relevant issues
- interpret business documents
- inform clients of their rights and obligations
- provide practical, clear and comprehensive advice
- demonstrate the practical application of the law
- identify and address any ethical issues.

Examination conditions

- You need access to a computer with webcam and microphone.
- Access to the exam is via the safe exam browser. Once installed on your computer, this will be located on your desktop and called Exam Launch File, LIV Online Assessment Candidate App (the app).
- All questions must be answered within this digital environment.
- All questions can be reviewed and updated prior to submitting the exam.
- Once the exam is submitted, there is no opportunity to revisit or change your responses.
- Access to any external sites including email is disabled for the duration of the exam.
- Once you submit the exam you will be automatically redirected to the confirmation of submission screen.
- You will need to log out of the safe exam browser once you have completed your exam. Candidates will not have access to their computer applications and programs until logging out of the site.
- Refer to [Schedule 6: Recommended Computer Requirements for Assessments](#) for more information.

Access to support materials

- This examination is an open-book exam.
- Prior to the exam, you will be asked to save your digital notes on the device on which you will be completing your examination. These can be saved in a drive that does not require access via the internet or document management system. You are also encouraged to have these available on a USB stick as a backup.
- The formats of accessible files include Word, Excel and PDF.
- You may access your digital notes via the exam delivery system. There will be two windows within the browser – one for your notes, the other for your examination. These can be located on dual screens.
- You may use any books, notes or other written material you have printed with you during the examination.

SCHEDULE 2: ASSESSMENT COMPONENT PART 2

Simulated Interview

| | |
|------------------|--|
| Interview date: | Tuesday 12 August 2025 |
| Interview time: | 45 minutes, scheduled by appointment closer to the date |
| Interview venue: | Via Zoom, candidates must use a device with a working camera |

Assessment overview

The simulated interview is designed to enable candidates to demonstrate skill in conducting a first interview with the client. A sound knowledge of the relevant law, rules and procedures will be required.

Using the information from the materials available for download following the written examination, via the online learning portal, candidates will conduct a simulated first interview with a person acting in the role of the client.

- The interview will take up to 45 minutes and will be recorded for assessment by examiners.
- At the conclusion of the interview, candidates will be given 15 minutes to record their observations, make file notes and submit.
- File notes will be used as part of the overall assessment in this examination component and may assist you in gaining accreditation.
- **The use of detailed pre-prepared notes is not encouraged.**
- **Candidates will be expected to provide preliminary advice during the interview.**
- The time allocated for the interview and completion of the file notes will be strictly enforced.

Assessment criteria

Candidates will be assessed on their ability to:

- elicit relevant information and facts from the client
- obtain and clarify instructions
- communicate clearly with the client
- identify relevant issues
- assess facts and legal options
- provide preliminary advice
- discuss options including costs, and develop a short-term plan
- demonstrate a degree of commerciality in dealings with the client
- ability to identify and address any ethical issues.

Candidates will need to demonstrate a satisfactory level of ability on each of the following four key areas:

1. knowledge of the law
2. gathering of appropriate facts and instructions
3. provision of advice
4. communication.

IMPORTANT: To achieve a satisfactory result, candidates must achieve no less than 50% in this assessment.

SCHEDULE 3: ASSESSMENT COMPONENT PART 3

Take-Home Assignment

| | |
|--------------------------|---|
| Assignment release date: | Friday 15 August 2025 |
| Assignment due date: | 4pm, Friday 29 August 2025 |
| Assignment submission: | Assignment to be submitted via the LIV online learning portal |

Assessment overview

Using the information from the materials available for download via the online learning portal, candidates will be expected to demonstrate the ability to provide advice on complex issues and to draft appropriate materials in the environment of their own workplaces.

Assessment criteria

Candidates will be assessed on their ability to:

- identify relevant issues from the materials provided
- apply the relevant law, including significant recent decisions
- apply relevant procedural rules and principals
- draft or amend original documents
- inform their clients of their rights and obligations
- provide practical, clear and comprehensive advice
- demonstrate a degree of commerciality and an understanding of business considerations
- identify and address any ethical issues.

Assessment conditions

Candidates may use the resources of their offices in completing this exercise. However, consultation with any other person in completing the exercise is **not permitted** and the material submitted must be entirely your own work.

The assessment must be typed and submitted as a word or PDF document through the online student portal by no later than 4pm on the due date advised. Late submissions will not be accepted.

Further details are provided when the assessment is released.

IMPORTANT: To achieve a satisfactory result, candidates must achieve no less than 50% in this assessment.

SCHEDULE 4: TOPICS FOR ASSESSMENT

Candidates will be assessed on the law as it stands on the day of the examination.

Assessment for specialist accreditation in commercial law focuses on advice and guidance to business.

A person accredited as a commercial law specialist is expected to be able to provide sound preliminary advice on all the topics listed in the topics for assessment. More importantly, it is expected that a specialist would be able to provide detailed advice on certain topics; these are the prescribed 'Advanced understanding' topics in the following table.

It is understood that commercial law specialists differ from each other due to several factors, including:

- the number and variety of their existing clients in terms of size, structure and fields of business activity
- individual preference for legal work of certain types
- referrals of new clients based on individual expertise
- opportunities available for diversification.

It should be noted that some areas of practice relevant to commercial law specialists are assessed in depth in other specialties offered under the specialisation scheme, including taxation law, commercial tenancy law, commercial litigation, environment and planning law, and workplace relations.

Topics for assessment are listed below and will be assessed only to the extent that they are relevant to business. The topics should not be regarded as mutually exclusive.

Basic understanding

The applicant would be expected to have a general awareness or overview of the topic. For example, the applicant should be able to identify of relevant sections within Acts and show awareness of general concepts and principles.

Intermediate understanding

The applicant would be expected to have more than a general awareness or overview of the topics. For example, the applicant should be able to identify and explain the relevant sections in legislation and general principles from key cases.

Advanced understanding

The applicant must have extensive knowledge of legislation and cases relevant to the topic. For example, the applicant would be expected to know:

- differences in the approaches (if any) adopted in the key cases relevant to the topic
- contending interpretations (if any) of relevant sections in legislation
- relevant government policies
- relevant bills introduced into a parliament.

Important:

Any matter relevant to practice in commercial law may be examined. Candidates may also be asked questions arising under any legislation, related regulations and other materials listed in these guidelines. This is not intended to be an exhaustive list.

Topics for assessment

| TOPICS FOR ASSESSMENT | LEVEL OF UNDERSTANDING |
|--|------------------------|
| 1. Contract law | |
| Formation | Advanced |
| Terms/construction | Advanced |
| Avoidance and termination | Advanced |
| Remedies | Intermediate |
| Equitable principles affecting some contracts – good faith, fiduciary duties | Intermediate |
| 2. Buying, selling and operating a business | |
| Establishing a new business | Advanced |
| Contractual principles | Advanced |
| Statutory compliance | Advanced |
| Permitted use and permits | |
| Section 52 statement | |
| Invalidity of s52 statement (due diligence of purchaser as p1 of s52, requesting documents) and timing of provision of s52 statement | Advanced |
| Employee issues on transfer of business | Advanced |
| Liabilities and adjustments concerning entitlements | |
| Vendor to still give notice | |
| Workcover – insurance disputes | |
| Restraints | Advanced |
| Reasonableness of restraints | |
| Personal Property Securities Act 2009 (Cth) | Advanced |
| Planning, permits, regulatory compliance, registrations and licensing matters | Intermediate |
| Intellectual property associated with buying/selling a business | |
| Transfers of lease and Retail Leases Act 2003 (Vic) for business sales/purchases | |
| Vendor finance | |
| Sale of shares | |
| 3. Business structuring | |
| Corporations law | Intermediate |
| Decision making in corporations | |
| Documents being validly executed | |
| Prohibition from making improper use of position to gain personal advantage and improper use of information gained | |
| Capital gains tax implications on sale using a company | |
| Partnerships, trusts and sole proprietorship | Advanced |

| TOPICS FOR ASSESSMENT | LEVEL OF UNDERSTANDING |
|--|------------------------|
| <ul style="list-style-type: none"> Nature of each structure Differences and pros/cons between each structure Liability for participants under each structure | |
| <ul style="list-style-type: none"> Powers, rights, duties and obligations of owners, directors and managers Differences between the powers and rights of owners, directors and managers Who owes what duties and obligations and to whom | Advanced |
| <ul style="list-style-type: none"> Succession planning The role of succession planning in business and why it is important Insurance in succession planning | Intermediate |
| <ul style="list-style-type: none"> Corporate governance and fiduciary duties Rules and guidelines for corporate governance in <i>Corporations Act 2001</i> (Cth) Fiduciary and other case law duties of directors | Intermediate |
| <ul style="list-style-type: none"> Trust law and structures Types of trusts Governing law of trusts Rights and liabilities of the trustee Powers of the trustee Winding up trusts CGT implications of trust on sale of business | Advanced |
| <ul style="list-style-type: none"> Resolution of disputes Alternative dispute resolution Arbitration Role of the Victorian Small Business Commission and resources available | Intermediate |
| <ul style="list-style-type: none"> Shareholder/unitholder agreements Purpose of shareholder/unitholder agreements Difference between background legal principles for shareholder agreement and shareholder/unitholder agreements | Advanced |
| <ul style="list-style-type: none"> Insurance – buy/sell arrangements Purpose of buy/sell arrangements Role that insurance plays in buy/sell arrangements | Intermediate |
| 4. Corporations law | |
| <ul style="list-style-type: none"> Responsibilities and liabilities of directors Directors' duties (statutory and general law duties) Who owes the duties Consequences of contravention of Directors' duties | Advanced |
| <ul style="list-style-type: none"> Share allotments | Intermediate |

TOPICS FOR ASSESSMENT**LEVEL OF UNDERSTANDING**

Creation and issuing of new shares
Classes of shares
What are partly paid shares

ASIC requirements**Intermediate**

How are companies created
What is the required procedure
Director ID requirements

Constitutions**Advanced**

Constitution vs replaceable rules
What is the effect of a constitution
How does a company adopt, amend and repeal a constitution
How does a constitution operate to displace or modify the replaceable rules

Insolvency**Basic**

When is a company deemed to be insolvent
Voluntary administration
Types of external administration

| TOPICS FOR ASSESSMENT | | LEVEL OF UNDERSTANDING |
|--|---|------------------------|
| 5. Taxation related to commercial law | | |
| Federal taxes | Income tax <i>Income Tax Assessment Act 1936 (Cth) and Income Tax Assessment Act 1997 (Cth)</i> Assessable income and allowable deductions | Basic |
| | Capital gains tax CGT concessions available to small businesses – CGT small business concessions CGT implications for different business structures Buy/Sell agreements and the choice of funding arrangements | Intermediate |
| | GST The “going concern” exemption application to business sales Requirement to be registered for GST GST application to settlements and judgments | Intermediate |
| | Fringe benefits tax | Basic |
| State taxes | Dutiable transactions <i>Duties Act 2000 (Vic)</i> Aggregation of dutiable transactions Dutiable transaction and dutiable property as defined in the Duties Act <i>Payroll Tax Act 2007 (Vic)</i> Land holder duty <i>Land Tax Act 2005 (Vic)</i> Duties applicable to transfer of interests in land-rich entities | Advanced |
| | Land tax How land tax is calculated and the current rate applicable Commercial and industrial property tax reform | Intermediate |
| | Payroll tax Payroll tax threshold | Basic |
| | State duties arising from business transactions and structuring Revenue implications for different business structures such as applicable tax rates and deductions available Taxation of trusts and trust distributions | Intermediate |
| 6. Leases | | |
| | Terms of lease Lease vs licence Execution of lease Repair and maintenance obligations Outgoings payable by the tenant Obligations at end of lease | Advanced |

| TOPICS FOR ASSESSMENT | LEVEL OF UNDERSTANDING |
|--|------------------------|
| Demolition and relocation Mortgagee's consent Invalid, unenforceable or unfair lease terms Agreements to lease | |
| <i>Retail Leases Act 2003 (Vic)</i> | Advanced |
| When is a lease a "retail lease" Rules associated with retail leases | |
| Transfer of leases | Advanced |
| Obtaining landlord's consent and grounds of refusal Effect of assignment Release of liabilities | |
| Renewal of lease – documented and exercise of option but no deed of renewal | Advanced |
| Timing and procedure for renewing a lease Rent review upon renewal | |
| Disclosure statements | Advanced |
| Timing of serving a disclosure statement Content of a disclosure statement Consequence of non-compliance | |
| Enforcement of tenant or landlord rights | Advanced |
| s146 – understanding of notices and when you need them Remedies of the landlord/tenant upon breach of lease Termination of lease Relief against forfeiture Repudiation and essential term Abandoned goods Dispute resolution under the Act Enforcing against the guarantors | |
| Due diligence issues for landlords and tenants | Advanced |
| Insolvency regarding tenants and landlords | Advanced |
| Security for performance Security deposits and bank guarantee Personal guarantees | |

| 7. Employment | |
|--|----------|
| Equal opportunity and anti-discrimination | Basic |
| Employment agreements | Advanced |
| Termination, redundancy and unfair dismissal | Advanced |
| Employee/contractor distinction | Advanced |
| Occupational health and safety | Basic |
| WorkCover | Basic |

| TOPICS FOR ASSESSMENT | LEVEL OF UNDERSTANDING |
|--|------------------------|
| Independent contractors' agreements | Advanced |
| Casual employment | Intermediate |
| General Protections Claim | Intermediate |
| Unlawful dismissal | Intermediate |
| Restraints in employment contracts | Advanced |
| Superannuation for employees and contractors | |
| 8. Franchising | |
| A working knowledge of the franchising code | Advanced |
| Franchises vs licences | Advanced |
| Information statements | Advanced |
| Enforcement of franchisor and franchisee rights | Intermediate |
| Good faith requirements | Basic |
| Dispute resolution | Intermediate |
| Franchisor responsibility provisions | Basic |
| Unfair Contract terms | Advanced |
| 9. Competition and consumer protection legislation | |
| Misleading or deceptive conduct | Advanced |
| Anti-competitive conduct | Intermediate |
| Cartel conduct | |
| Referral selling | |
| Thirdline forcing | |
| Exclusive agreements with suppliers | |
| Restraint of trade | Advanced |
| Sale of business – validity on ROT on vendor reasonableness | |
| Solicitation of Customers and employees | |
| Restraint of trade on skills and trade secrets | |
| Restraint of trade being considered unfair contract term | |
| Unconscionability | Intermediate |
| Principal of good faith | |
| Unconscionability equity vs statutory provisions | |
| Consumer guarantees | Advanced |
| Unfair contract terms | Advanced |
| Manufacturer's liability | Advanced |
| 10. Insolvency | |
| Voluntary administration – how it comes about, the process the administrator follows, possibilities arising (hand back or liquidation) | Basic |
| Bankruptcy and arrangements without sequestration | Basic |

| TOPICS FOR ASSESSMENT | LEVEL OF UNDERSTANDING |
|--|------------------------|
| Liquidation – duties of liquidator, investigating and reporting obligations, order of payment of creditors, effect on entitlements of officers and associates, effect on director’s powers and duties imposed on directors | Basic |
| Receivership – how it can come about, why a receiver would be appointed rather than a liquidator, duties of receiver and how their work is funded | Basic |
| Small Business Restructuring – pre-conditions to Small Business Restructure availability, ability of directors and associates to vote, timeframes and steps to get to a meeting to consider proposal, how the vote is conducted | Basic |
| Preferences and fraudulent dispositions – sections of Corporations Act, understanding of rules around what needs to be proved to satisfy the tests surrounding these voidable transactions | Basic |
| Transfers of assets/preferential transactions just before an event of insolvency – sections of Corporations Act and <i>Property Law Act 1958</i> (Vic) that are relevant, understand proofs required/tests to be able to void transactions and clawback property | Intermediate |
| Undervalue transactions – sections of Corporations Act, understanding of rules around what needs to be proved to satisfy the tests surrounding a voidable transaction | Intermediate |
| 11. Intellectual property matters | |
| Trademarks – the difference between the proprietary nature of a trademark and a business name | Intermediate |
| Business names | Advanced |
| Domain names and understanding the registration options | Intermediate |
| Designs | Basic |
| Copyright – how it interacts with employment and sub-contractors, use of AI, takedown letters | Intermediate |
| 12. Personal Property Securities Act 2009 (Cth) | |
| Terms of trade – retention of title | Advanced |
| Elements of a security agreement | |
| Requirements for an enforceable security interest | |
| Enforceable against third parties | |
| Priority of registrations | |
| Taking free rule | |
| Equipment leases and licenses | Advanced |
| Determining when a lease, bailment or hire purchase agreement is a security interest | |
| PPS lease | |
| Priority rules | |
| Registration of security interests | Advanced |
| Registration process | |
| Content of financing statements | |
| Special rules associated with certain class of collateral | |
| Removing a registration | |
| Real estate leases and the implications of the Act | Advanced |

| TOPICS FOR ASSESSMENT | LEVEL OF UNDERSTANDING |
|---|------------------------|
| Extensions of time principles and late registrations Timing of registration | Advanced |
| Enforcement options under the Act Seizure, disposal of, and retention of collateral Application of proceeds Contracting out enforcement provisions Issues associated with multiple secured parties Insolvency of grantor | Advanced |
| 13. Superannuation – self-managed superannuation funds | |
| Borrowing requirements | Basic |
| Contribution limits | Basic |
| Trustee succession issues | Basic |
| Related party transactions | Basic |
| Amendment of superannuation trust deed | Basic |
| 14. Anti-money laundering and related reporting obligations | |
| Understanding the basic sections of the <i>Anti-Money Laundering and Counter-Terrorism Financing Act 2006</i> (Cth), <i>Financial Transactions Reports Act 1988</i> (Cth) and criminal consequences under Division 10.2 Division 400 of the <i>Criminal Code Act 1995</i> (Cth) | Basic |
| Understanding of which types of legal work bring about potential reporting and extra vigilance obligations | Basic |
| Being familiar with 'red flags' in transactions that may bring about the need for extra vigilance | Basic |
| <i>Legal Profession Uniform Law and Australian Solicitors Conduct Rules</i> provisions concerning ethics, the receipt of trust money needing to be associated with provision of legal services, knowing the identity of the client providing instructions/obtaining advice in matters involving use of trust account transactions | Basic |

SCHEDULE 5: RELATED LEGISLATION AND OTHER MATERIALS

Related legislation

This is not necessarily an exhaustive list. It does not list subordinate legislation and policy or regulations, guidelines or gazette notices that may also be relevant. Candidates will be examined on the law as it stands at the date of assessment.

- [Anti-Money Laundering and Counter-Terrorism Financing Act 2007 \(Cth\)](#)
- [Australian Consumer Law and Fair Trading Act 2012 \(Vic\)](#)
- [Association Incorporation Reform Act 2012 \(Vic\)](#)
- [Bankruptcy Act 1966 \(Cth\)](#)
- [Business Names Registration Act 2011 \(Cth\)](#)
- [Chattel Securities Act 1987 \(Vic\)](#)
- [Commercial Arbitration Act 2011 \(Vic\)](#)
- [Competition and Consumer Act 2010 \(Cth\)](#)
- [Competition and Consumer \(Industry Codes – Franchising\) Regulation 2014](#) Schedule 1 – Franchising Code of Conduct (Cth)
- [Commercial and Industrial Property Tax Reform Act 2024 \(Vic\)](#)
- [Copyright Act 1968 \(Cth\)](#)
- [Corporations Act 2001 \(Cth\)](#)
- [Credit Act 1984 \(Vic\)](#)
- [Designs Act 2003 \(Cth\)](#)
- [Duties Act 2000 \(Vic\)](#)
- [Electronic Transactions Act 2000 \(Vic\)](#)
- [Equal Opportunity Act 2010 \(Vic\)](#)
- [Estate Agents Act 1980 \(Vic\)](#)
- [Fair Work Act 2009 \(Cth\)](#) and associated regulations
- [Food Act 1984 \(Vic\)](#)
- [Fringe Benefits Tax Assessment Act 1986 \(Cth\)](#)
- [Goods Act 1958 \(Vic\)](#)
- [Income Tax Assessment Act 1936 \(Cth\)](#)
- [Income Tax Assessment Act 1997 \(Cth\)](#)
- [Independent Contractors Act 2006 \(Cth\)](#)
- [Instruments Act 1958 \(Vic\)](#)
- [Insurance Contracts Act 1984 \(Cth\)](#)
- [Labour Hire Licensing Act & Regulations 2018 \(Vic\)](#)
- [Land Tax Act 2005 \(Vic\)](#)
- [Legal Profession Uniform Law Application Act 2014 \(Vic\)](#)
- [Legal Profession Uniform General Rules 2015 \(NSW\)](#)
- [Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015 \(NSW\)](#)
- [Liquor Control Reform Act 1998 \(Vic\)](#)
- [National Consumer Credit Protection Act 2009 \(Cth\)](#) (incorporating the National Credit Code)
- [Occupational Health and Safety Act 2004 \(Vic\)](#)
- [Partnership Act 1958 \(Vic\)](#)
- [Payroll Tax Act 2007 \(Vic\)](#)
- [Personal Liability for Corporate Fault Reform Act 2012 \(Cth\)](#)
- [Personal Property Securities Act 2009 \(Cth\)](#)

- [Planning and Environment Act 1987 \(Vic\)](#)
- [Property Law Act 1958 \(Vic\)](#)
- [Retail Leases Act 2003 \(Vic\)](#)
- [Superannuation Guarantee \(Administration\) Act 1992 \(Cth\)](#)
- [Superannuation Industry \(Supervision\) Act 1993 \(Cth\)](#)
- [Taxation Administration Act 1997 \(Vic\)](#)
- [Trade Marks Act 1995 \(Cth\)](#)

Suggested reading

While there are many cases, on many topics, relevant to commercial law, the cases below are regarded as of foundational cases regarding statutory interpretation and contract interpretation and will be worth candidates re-visiting as part of their preparation (as well as reviewing the case law in other areas).

Statutory interpretation

- *Byrne v Australian Airlines Ltd* (1995) 185 CLR 410
- *Project Blue Sky Inc v Australian Broadcasting Authority* (1998) 194 CLR 355
- *Thiess v Collector of Customs* (2014) 250 CLR 664
- *Federal Commissioner of Taxation v Consolidated Media Holdings Ltd* (2012) 250 CLR 503
- *Bare v Independent Broad-Based Anti-Corruption Commission* (2015) 326 ALR 198

Construction of commercial contracts

- *BP Refinery (Westernport) Pty Ltd v Hastings Shire Council* (1977) 180 CLR 266
- *Codelfa Construction Pty Ltd v State Rail Authority (NSW)* (1982) 149 CLR 337
- *Burger King Corporation v Hungry Jack's Pty Ltd* (2001) 69 NSWLR 558
- *Toll (FGCT) Pty Ltd v Alphapharm Pty Ltd* (2004) 219 CLR 165
- *Alcan (NT) Alumina Pty Ltd v Commissioner of Territory Revenue* (2009) 239 CLR 27
- *Electricity Generation Corporation v Woodside Energy Ltd* (2014) 251 CLR 640
- *Mount Bruce Mining Pty Ltd v Wright Prospecting Pty Ltd* (2015) 256 CLR 104

Other reading

- [Legal Profession Uniform Law Australian Solicitors Conduct Rules 2015](#)

SCHEDULE 6: RECOMMENDED COMPUTER REQUIREMENTS FOR ASSESSMENTS

All assessments are delivered in a digital format, including via the LIV online learning portal for release and submission of assessments, the LIV online exam platform Assess App and Zoom for oral assessments. You are required to ensure you have all the required infrastructure and access to the digital assessment platforms prior to the completion of your assessment. To ensure you are set up to succeed, here are some things to consider in advance to check that your computer meets the following recommended computer requirements of optimal performance of the platforms.

You will require access to a computer with a working webcam and microphone to complete the assessment program.

Written Examination device specifications

| Windows | |
|------------------|---|
| Processor | i5 2.2GHz /AMD A6 1.8Ghz |
| Operating system | Windows 10 64-bit |
| Memory | 8GB |
| Hard drive | 250GB SSD (solid state drive) |
| Display | 14" screen with 1920 x 1080 screen resolution |
| Battery life | 8 hours under normal use |

The following devices cannot currently be used to access the LIV online exam platform:

- Mac
- iPads
- Chromebooks
- Smartphones, including iPhones, Android devices and any other mobile OS devices

Please note our exam partner can source a hired PC for the two-week period prior to the exam date for an additional fee. The laptop will come with the SEB software already installed and ready to use.

Successful applicants will have access to one-on-one support from our exam provider to set up the applications and work through all requirements for exam setup.

Oral assessments

Oral assessments will be conducted via Zoom. In addition to a working webcam and microphone, Zoom Support provides recommended minimum internet speeds for clear and high-quality video and audio throughout. For more information on minimum internet speeds for video conferencing, visit:

- [Reviews.org – breaks down requirements in a simplistic way](#)
- [Zoom Support – system requirements](#)