

Program

Sunday 6 February

"Night in Chinatown" Dinner - An optional dinner will be held at 7pm at the House of Guangzhou Restaurant, 76 Ultimo Rd, Haymarket. The cost of this dinner is A\$60, and prior registration and payment is essential by Friday, 17th December. Experience the [Chinese New Year Festival](#) 2005 first hand.

Monday 7 February

8.00 am - 8.45 am Registration - Main Foyer, ground level, Sydney Law School (coffee and muffins provided)

9.15am Welcome (Parliament House, Macquarie St)

9.30am - 10.30am **Plenary Sessions:**

Speaker: [Professor Jill Fisch](#), Alpin J. Cameron Professor of Law, Fordham University, New York: *Conflicts of Interest in Analysts and Brokers*

Commentator: Tony D'Aloisio, Managing Director and CEO, Australian Stock Exchange

10.30 - 11.15 **Speaker:** [Professor Charles Yablon](#), Cardozo School of Law, Yeshiva University, New York: *Executive Remuneration and the Market for CEOs.*

11.15 - 11.45 MORNING TEA BREAK

11.45 - 12.45 **Speaker:** [Helen Conway](#), Company Secretary and General Counsel, Caltex Australia Ltd: *Conflicts of Interest in the Boardroom*

Commentator: [The Hon. Justice R.P. Austin](#), Supreme Court of New South Wales

12.45 - 2.00pm LUNCH ([The Jubilee Room](#), Parliament House)

2.00 - 3.15pm **Parallel Session 1** (Sydney Law School)

a) Room LT 2 - Level 1

Keeping the Field: Regulating Players in the Game of Corporate Governance

Chair: Professor Jill Fisch, Alpin J. Cameron Professor of Law, Fordham University, New York

Andrew Tuch *Investment banks and financial advisory services: responding to conflicts of interest*

Emma Armson *Regulating Takeover Conflicts in Australia and the United Kingdom*

Vijaya Nagarajan *Regulating for Corporate Governance in Deregulated Industries by the ACCC*

b) Room LT 8 - Level 2

"The Strain in the Corporate Web" – Shareholders vs Stakeholders

Chair: Gerald Acquah-Gaisie, Monash University

Therese Wilson *The "best interests of the company" and corporate responsibility*

Anne Durie *Shareholders and Stakeholders: Conflicts or Convergence of Interest?*

Paul Redmond *"What's it all about, Alfie?" Reflections on corporate objectives and purposes in the light of recent events*

3.15 - 3.45pm AFTERNOON TEA

3.45 - 5.00pm **Parallel Session 2**

a) Room LT 2 - Level 1

Secrets and Lies: Perspectives on Insider Trading

Chair: Professor Jennifer Hill, University of Sydney

Alexander Loke *"Hey, the company gets to keep the insider trading gains by its*

employees?" *The lacuna in Singapore law on corporate liability for employee insider trading*
Hui Huang *Regulation of Insider Trading in China*
John Kluver *Current Issues in Insider Trading Law and the CAMAC Proposals*

b) Room LT 8 - Level 2

The Changing Face of International Corporate Governance

Chair: Vivienne Bath, University of Sydney

Janine Pascoe *Key Developments in Corporate Law Reform in Malaysia*

Michele Havenga *Regulating conflicts of interest and South African company law reform*

Margaret Wang *Independent Directors in Asia*

7.00 - 12.00

CONFERENCE DINNER

Botanic Restaurant, [Royal Botanic Gardens](#)

Guests please use the Henry Lawson Gate on Mrs Macquaries Road. [See map](#)

Tuesday 8 February

8.00am

CLTA Executive Committee Meeting (Minter Ellison Meeting Room, Level 13, Sydney Law School)

9.15 - 10.30am

Parallel Session 3

a) Room LT 2 - Level 1

Brave New Regulatory World: Shareholders Monitoring Executive Pay and Whistleblowing Employees

Chair: Professor Charles Yablon, Cardozo School of Law, Yeshiva University, New York

Larelle Chapple/Blake Christensen *The non-binding vote on executive pay: a review of the CLERP 9 reform*

Stephanie Luiz *Remuneration Of Directors: A South African Perspective*

Vivienne Brand *Sanctioned Dobbings: whistle blowing under the Corporations Act*

b) Room LT 8 - Level 2

A Post-Mortem of Issues in Insolvency

Chair: Dr Keith Fletcher, University of Queensland

Colin Anderson/David Morrison *Was Elliot rescued and will he recover? Rescue versus recovery in the Australian insolvency context*

Jason Harris/Bruce Gordon *Lost in transition? The impact of voluntary administration on members' rights when insolvent companies transition into a creditor's voluntary liquidation*

Trish Keeper *Changing Priorities in Corporate Insolvency Law*

10.30 - 11.00am

MORNING TEA

11.00 - 12.15pm

[Panel Discussion: James Hardie](#) (Assembly Hall)

Chairs:

Professor Jennifer Hill, Sydney Law School

Associate Professor Peta Spender, Faculty of Law, Australian National University

Speakers:

John Gordon, Victorian Bar, former President, Australian Lawyers Alliance

Lynn Ralph, Managing Director, Cameron Ralph Pty Ltd

Professor Ian Ramsay, Director of the Centre for Corporate Law and Securities Regulation, Melbourne University

Professor Paul Redmond, University of New South Wales Law School

John Sheahan, SC, Counsel Assisting the Special Commission of Inquiry into the Medical Research and Compensation Foundation

12.15 - 12.45pm

CLTA Annual General Meeting and Announcement of Best Paper Prize by **John Nelson**, [Chartered Secretaries Australia](#) (Assembly Hall, Sydney Law

- School)
- 12.45 - 1.45pm LUNCH (Main Foyer, Sydney Law School)
- 1.45 - 3.00pm **Parallel Session 4**
- a) Room LT 2 - Level 1**
Regulating Corporations: Theory and Practice
Chair: Joellen Riley, University of Sydney
David Wishart *Trying to get all these theories into line: an unconscionable metatheory for corporations law*
Paula Darvas *"Describing the social responsibilities of companies in the language of human rights": conflict with traditional legal theory?*
Angus Young *The Notion of Regulating Conflicts of Interest: Segregation, Dilemma or Superficial Exercise*
- b) Room LT 8 - Level 2**
Evolving Governance Techniques and Obstacles to Enforcement - From Auditors to Independent Directors
Chair: Emma Armson, University of Sydney
Robert Langton/Lindsay Trotman *Recent developments in the legal liability of auditors in Australia*
Suzanne Le Mire *Unreasonable Expectations of the Independent Director*
Vicky Comino *High Court relegates strategic regulation and pyramidal enforcement to insignificance*
- 3.00pm CLOSE

After the close of proceedings, conference participants may like to consider a visit to one of the following:

- Visit to the [Art Gallery of NSW](#), Art Gallery Road, The Domain, Sydney NSW 2000, Australia - 10-15 minute walk from Sydney Law School across Macquarie Street and the Domain ([Directions and Map](#)) (open until 5pm)
- [Museum of Contemporary Art](#), 140 George Street, The Rocks - 15 minute walk from Sydney Law School ([Directions and Map](#)) (open until 5pm)