

"Success Together"

Welcome to our Winter Newsletter

We hope you find the information interesting and useful. Our website provides more articles and information on the firm and its areas of practice.

Visit our website at www.oneillslawyers.com.au

Office Update

2011 – the first six months!

Business activity grew markedly, for the firm, in the first half of the year compared with the latter half of 2010. We know this is not necessarily reflective of the wider economic sentiment as many continue to struggle through difficult times but hope it's a sign of a return to more normal activity. Fortunately the RBA has kept rates on hold a bit longer.

Staff

Congratulations to **Sheryn Cherry**, our conveyancing para-legal, on achieving 10 years service with the firm. We thank her for her contributions and hope she is part of the team for another 10 years!

Adelle Christison has joined us as our new receptionist and admin assistant allowing **Emma Henry** to move to a para-legal and PA role.

Office open day, Saturday 20 August 2011

For the third year in a row we will hold an Open Day providing free legal advice to clients. Please remember the half hour appointments from 10am to 4pm are limited so book now!

Congratulations – Order of Australia Medal

We congratulate Darryl Seccombe (charities) and Lewis Lee (Chinese community) on being awarded the Medal of Order of Australia in the recent Queen's Birthday Honours List. They join Alice Cullen (softball) (Australia Day 2011) in holding this very distinguished award.

Fundraising

On 26 June Kerry O'Neill again cycled with the Go Geckos Team in the MS Brissie to Bay Ride. Thanks to the very generous support of family, friends, business colleagues he raised \$1,000 for the charity. The firm's staff proudly continues charitable fundraising through various activities.

How can we help you?

Specialty areas are business/commercial law, business, personal and succession estate planning, civil and commercial litigation and property law, but we can help you with other legal matters. If you're unsure whether we can help with your issue, please view our practice areas or call us on 3849 6263.

Value

Value can be defined as "a broad preference concerning appropriate courses of action or outcomes". Price is important but it is not the critical thing in most cases. Clients value trust,

honesty, service, a practical approach, and a good outcome with certainty. Price is soon forgotten if value is good. We work on the principle of value for money.

[Read some of our client testimonials](#)

Mediation

Kerry O'Neill is a past QLS Approved Mediator and has certificates in Dispute Resolution from both Conflict Resolution Networks and Bond University.

Mediation is becoming more popular and in some jurisdictions is mandatory. It is often a cost effective and successful approach to dispute resolution and in the best interests of clients reaching a satisfactory outcome.

Caselaw Update

Leaving someone out of the Will?

[Find out what this means to you](#)

Employers' duty to keep their employees safe

The Workplace Health and Safety Act provides a non-delegable obligation on employers to ensure the reasonable safety of their employees. The Court of Appeal has recently considered how far that duty goes.

[Read the full article on our website](#)

Fair Work Ombudsman Investigations – \$250,000 payback by employers in Brisbane alone!

If you thought it was safe to go back into the water then read the latest media release on non-compliance by employers with the "simplified" legislation.

[Visit our website for more details](#)

Legislation update

Duties Act changes

New duty rates apply 1 August 2011

[Read more on the Office of State Revenue website](#)

New credit card limit of \$50,000

[Read more on the Office of State Revenue website](#)

Land rich duty applies 1 July 2011

Queensland will adopt landholder duty for certain acquisitions of interests in unlisted corporations, listed corporations and listed unit trusts. The unencumbered value has been raised to \$2,000,000.

[Read more on the Office of State Revenue website](#)

Employment law

1 July 2011 was as a significant date for employers on three separate issues.

[Read about these issues on our website](#)

Family trusts law reform

In his recent speech to the 26th annual Taxation Institute of Australia's National Convention, Assistant Treasurer Bill Shorten announced the Federal Government will adopt two recommendations to clarify the tax law for over 600,000 trusts in Australia.

[Find out more on our website](#)

Retail Shop Leases Act – burying the ratchet!

Legislation passed in March 2011 included changes to the *Retail Shop Leases Act 1994* making ratchet rent clauses void and providing for compensation.

[Find out more on our website](#)

Drink driving – a new mid-range alcohol limit

A new mid-range drink driving alcohol limit of more than 0.10 and less than 0.15 has been introduced.

[Find out what you need to know if you're charged](#)

ATO clamps down on business tax debt

The ATO is becoming more aggressive in chasing outstanding tax debts owed by companies by making changes to the Directors Penalty Notice (DPN) provisions.

[Find out what is changing](#)

Pool safety laws

Find out about some quick changes to laws and compliance deadlines on the [Department of Local Government and Planning website](#).

Personal Property Securities Act 2009

The Act, which creates a whole new world of security registration, is now scheduled to start in October 2011.

[Review your documentation and procedures now!](#)

Civil Dispute Resolution Act 2011 (Cth)

This Act applies to matters (except family law, migration, and certain criminal and industrial relations matters) in the Federal and Federal Magistrates Court.

Specifically, the Act requires parties to take genuine steps to resolve the dispute prior to instituting legal proceedings in the Federal Court of Australia or the Federal Magistrates Court, and file a genuine steps statement at the time of filing the application in the Federal Court of Australia or Federal Magistrates Court.

Business law – due diligence

Thinking of buying or selling? Due diligence is critical to a successful transaction. Scott Devereux, Business Broker with One Business Brokers, has kindly prepared an article to help you understand what is involved and why.

[Read the article on our website](#)

Quotable quotes

All business proceeds on beliefs, or judgments of probabilities, and not on certainties.

William Hewlett

Thought, not money, is the real business capital.

Harvey S. Firestone

You never achieve success unless you like what you are doing.

Dale Carnegie

The secret to my success is that I bit off more than I could chew and chewed as fast as I could.

Paul Hogan

Nobody can go back and start a new beginning, but anyone can start today and make a new ending.

Anon

CPI March 2011 Quarter

Brisbane's CPI rose 1.3 per cent in the quarter from that of December 2010. The annual increase was 3.6 per cent and outside the Reserve's target but the board is "looking through" this figure due to the extenuating factors in the quarter, causing the rise. The underlying rate is still within the desired band. June quarter is yet to be released but expected to be well within the band.

Want to be an organ or tissue donor?

[View the register and related forms](#)

Need advice?

If you need advice on a legal issue, call us on 07 3849 6263. We appreciate any referrals you make to us. If we can't help you we'll refer you to someone who can.

Newsletters

Find out more on our website

Visit www.oneillslawyers.com.au to view all of our articles.

Do you have an email address?

If you provide us with your email address, we can add you to our mailing list. Don't worry; we won't bombard you with emails as we only send seasonal newsletters and occasional alerts.

Liability limited by a scheme approved under professional standards legislation.

FEEDBACK: We welcome your comments on our Newsletter and its contents. Is it useful? What sort of information would you like to see included/excluded? We also welcome comments on our quality of service and ways to improve it.

IMPORTANT NOTICE: This is not advice and clients should not act solely on the basis of information herein, which constitutes general comments on various legal and commercial issues. Clients should consult the appropriate advisors before acting upon any matter herein.

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