The law respecting relief against contractual penalties has undergone significant change in recent years. This seminar will give an account of recent developments in respect of the penalty rule in Australia and England, before going on to explore two unresolved questions. The first is whether Australian law recognises two jurisdictions to relieve against penalties – one in equity and another at common law – or instead a unitary penalty doctrine. The second is the important question of how the recent developments are playing out “on the ground”.

Presenter:
John Eldridge, Lecturer,
The University of Sydney

Chair:
Greg Tolhurst

NSW Bar Association
Common Room

1.00pm - 2.00pm
Tuesday 12 February 2019

1 HOUR SEMINAR
1 CPD POINT IN THE SUBSTANTIVE LAW, PRACTICE AND PROCEDURE, AND EVIDENCE STRAND

REGISTRATION NOT REQUIRED
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