

21 DECEMBER 2017



### **BALANCING THE NEEDS OF PARENTS AND CHILDREN IN RELOCATION MATTERS**

Parents, whether together or apart, know the difficulty of deciding what is in their child's best interests. In the family law context, family law courts must consider a range of competing factors to determine what is in the best interests of children of separated caregivers. This is particularly important in relocation matters where often primary carers argue a relocation may improve parental support system, but prospective "left behind parents" argue distance will likely impede the child/parent relationship.

[> Learn more](#)



MEET ALICIA HILL

### **HIGH COURT REFUSES SPECIAL LEAVE. THE "ULTIMATE CONSUMER TEST" IS HERE TO STAY IN DETERMINING WHETHER PREMISES ARE "RETAIL"**

Earlier this month, the High Court of Australia refused special leave to appeal the decision of the Victorian Court of Appeal in *IMCC Group (Australia) Pty Ltd v CB Cold Storage Pty Ltd* [2017] VSCA 178.

[> Learn more](#)

### **FWO PURSUES CALTEX FRANCHISEE**

Important news for the real estate sector. The Supreme Court of Victoria recently found that a franchisor was not jointly and severally liable for the misconduct or negligence of their franchisee. Highly recommended reading for real estate franchisors.

[> Learn more](#)

### **REMOVING FELLOW DIRECTORS: NOT ALWAYS THE ANSWER**

Earlier this month, the Federal Court of Australia decided that the removal of a director by the only other director of a company was invalid. The Federal Court held this action to be invalid, and the case now serves as a useful lesson to ensure that any corporate documents are consistent with each other and with all applicable legislation.

[> Learn more](#)

## ACCOUNTING FIRM FACES PENALTIES UNDER ACCESSORIAL LIABILITY PROVISION

The Fair Work Ombudsman has, for the first time, used the accessorial liability provisions in section 550 of the Fair Work Act 2009 against an external accountant who helped their client to exploit a vulnerable employee.

[> Learn more](#)

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## STAFF SUCCESS

MST Lawyers are pleased to congratulate our newest lawyer admitted to practice, Elizabeth Moore, and Joy Allen for being awarded Legal Executive of the Year by the Institute of Legal Executives (Victoria).

[> Learn more](#)

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## MST LAWYERS CHRISTMAS CLOSURE

### Christmas is just around the corner.....

MST Lawyers will be closed from **Monday, 25th December 2017** and will reopen on **Monday, 8th January 2018**.

We would like to wish you all a safe and happy festive season.

**great service** sensible solutions

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