



**JAMES  
EMMETT**  
*Barrister*

+61 2 9376 0696  
james.emmett@banco.net.au

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**ADMISSIONS**

*2006*

Barrister

*2005*

Legal practitioner

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**QUALIFICATIONS**

LLB, University of New South Wales

MA, Cantab

Accredited Mediator, Resolution Institute (2016)

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**AREAS OF PRACTICE**

Appellate

Commercial law

Competition law and trade  
practices

Corporations law

Equity

Insurance

Maritime and Aviation law

Public and administrative law

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**PREVIOUS OCCUPATIONS**

Solicitor, Mallesons Stephen Jacques (now King &  
Wood Mallesons)

Associate to Chief Justice Gleeson, the High Court of Australia

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**ACADEMIC**

University of New South Wales – graduated to LLB in 2004  
(valedictorian)

Cambridge University, Pembroke College – Classics Tripos, 1<sup>st</sup>  
Class; graduated to BA in 2000; graduated to MA in 2004

University of New South Wales Law School

Adjunct Associate Professor, 2018 to present

Adjunct Senior Lecturer (lecturing in *Statutory  
Interpretation* and *Conflict of Laws*), 2015 to 2018

Visiting Fellow (lecturing in *Statutory Interpretation* and  
*Conflict of Laws*), 2010 to 2014

Lecturer (lecturing in *Statutory Interpretation* since 2007  
and *Conflict of Laws* since 2008), 2007 to 2009

Lecturer, University of Sydney (lecturing in *Equity*), 2006

Member of Advisory Board, La Trobe University Centre for  
Legislation, since 2016

Member of Advisory Committee on Statutory Interpretation to the  
Council of Australian Law Deans, 2015

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## CASES

James has appeared as junior counsel or lead counsel in many trials and appeals in the NSW Supreme Court, Court of Appeal and Federal Court of Australia, particularly within the fields of commercial law, trade practices, maritime and aviation, and public law. Cases in which James has appeared include:

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### *Commercial / trade practices*

*Ambergate Limited v CMA Corporation* [2016] FCA 94  
*Bailey v La hood* [2017] NSWSC 1354  
*Gigi Entertainment v Schmidt* [2013] NSWCA 287  
*Lauvan v Bega & Ors* [2018] NSWSC 154  
*Manny v Strong Law* [2017] ACTSC 316  
*McHugh v Australian Jockey Club* [2014] FCAFC 45, [2012] FCA 1441  
*O'Connor v State of New South Wales & Anor* [2017] NSWSC 598  
*Re Edgecliff Car Rentals Pty Ltd (deregistered)* [2017] NSWSC 244  
*THC Holding v CMA Recycling* [2014] NSWSC 1136  
*Walker v Sell* [2016] FCA 1259  
*Westpac Banking Corporation v Newey* [2014] NSWCA 319, [2013] NSWSC 847

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### *Corporations*

*Australian Careers Institute v Australian Institute of Fitness* [2016] NSWCA 347; [2015] NSWSC 1639  
*Britten-Norman v Analysis & Technology Australia* [2013] NSWCA 344  
*Huang v Wang* [2016] NSWCA 164, [2015] NSWSC 510  
*McAdam v Chylos* [2015] FCAFC 161  
*MIS Funding No 1 v Beefeater Sales International* [2015] NSWSC 1109, [2016] NSWCA 217

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### *Insurance*

*Anglican Development Fund Diocese of Bathurst in its own capacity and in its capacity as trustee of the Anglican Development Fund Diocese of Bathurst (receivers and managers appointed) -v- The Right Reverend Ian Palmer, Bishop of The Diocese of Bathurst, Commonwealth Bank of Australia -v- The Right Reverend Ian Palmer, Bishop of The Diocese of Bathurst* [2015] NSWSC 1856  
*Fairfield City Council v Arduca* [2015] NSWCA 166  
*Inghams Enterprises v Sok* (2014) 87 NSWLR 198  
*Inghams Enterprises Pty Ltd v Belokoski* [2017] NSWCA 313  
*Lambert Leasing Inc v QBE Insurance Australia* [2011] NSWSC 745, [2016] NSWCA 254

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### *Maritime and aviation*

*CSL Australia Pty Limited v Minister for Infrastructure and Transport (No 2)* [2014] FCAFC 35

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*CSL Australia v Minister for Infrastructure & Transport* [2014] FCAFC 10

*CSL Australia Pty Ltd v Minister for Infrastructure and Transport* [2013] FCA 152

*Pantovic and Civil Aviation Safety Authority* [2015] AATA 992

*Programmed Total Marine Services Pty Ltd v "Hako Endeavour"* (2014) 315 ALR 66

*Regional Express Holdings Limited v Dubbo City Council (No 3)* [2014] NSWLEC 87

*Sullivan v Civil Aviation Safety Authority* [2014] FCAFC 93

*Vautin v BY Winddown, Inc. (formerly Bertram Yachts) (No 4)* [2018] FCA 426, [2016] FCAFC 168, [2016] FCA 1235

*Virtu Fast Ferries Ltd v Ship 'Cape Leveque'* [2015] FCAFC 58, [2015] FCA 324

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*Public and administrative law*

*Agricultural Equity Investments v Minister for Resources and Energy* [2015] NSWLEC 23

*AHB v NSW Trustee and Guardian* [2014] NSWCA 216

*A-G (NSW) v Viavattene* [2014] NSWSC 327, [2013] NSWSC 453; *Viavattene v A-G (NSW)* [2015] NSWCA 44

*A-G (NSW) v Mahmoud* [2014] NSWSC 970

*A-G (NSW) v Mahmoud* [2015] NSWSC 899

*Australian Information Commissioner v Elstone* [2018] FCA 463

*Blue Mountains Council v Minister for Local Government (No 2)* [2018] NSWSC 193

*Buckley v Independent Liquor and Gaming Authority* [2016] NSWSC 1533

*Chapman v South Eastern Sydney Local Health District* [2018] NSWSC 1231

*Commissioner of Police v Fine* [2014] NSWCA 327

*Coote v State of NSW & Anor* [2016] NSWSC 1492

*George Thomas Hotels (Campsie) v Independent Liquor and Gaming Authority* [2017] NSWSC 792

*Gold and Copper Resources v Minister for Resources and Energy* [2014] NSWLEC 33; [2015] NSWLEC 116

*Gooley v NSW Rural Assistance Authority* [2017] NSWSC 835

*Hzaife v Manager of the Therapeutic CUBIT Program, Corrective Services NSW; Bilal v Manager of the Therapeutic CUBIT Program, Corrective Services NSW* [2017] NSWSC 937

*Kong v Minister for Health* [2014] FCA 34; [2014] FCAFC 149

*Lavender v Director of Fisheries Compliance, Department of Industry Skills and Regional Development* [2018] NSWCA 174

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*LDF Enterprise Pty Ltd v State of New South Wales* [2017]  
NSWCA 89

*Minister Administering the Crown Lands Act 1989 v New South  
Wales Aboriginal Land Council* [2018] NSWLEC 26

*NuCoal Resources Limited v Independent Commission Against  
Corruption* [2015] NSWSC 1400

*O'Shane v Harbour Radio* [2013] NSWCA 315

*Pedrana v Racing NSW (No 3)* [2014] NSWSC 791

*Potier v A-G (NSW)* [2015] NSWCA 129

*Secretary, Department of Education v Joys Child Care Ltd* [2017]  
NSWSC 749

*Wilkie v The Commonwealth; Australian Marriage Equality Ltd v  
Cormann* [2017] HCA 40

*Young Mining Co v Minister for Industry, Resources and Energy  
NSW* [2016] NSWSC 1193