



Annette Charak

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Admissions

Admitted to practice as a barrister and solicitor on 7 May 1990

Signed the Victorian Bar Roll on 3 May 2012

Also admitted in the High and Federal Courts of Australia

Qualifications

Master of Tax (University of Melbourne)

Bachelor of Laws (University of Melbourne)

Bachelor of Arts (University of Melbourne)

Practice Areas

Administrative Law (Judicial Review)

Administrative Law (Merits Review)

Taxation

Equity / Trusts

Building and Construction

Bankruptcy / Insolvency

Commercial Law

Trade Practices

Corporations and Securities

Insurance

From 03 May 2012, liability limited by a scheme approved under Professional Standards legislation.





Profile

Annette has long been focused on excellence in legal writing and has brought that focus to her work as a barrister. Immediately before coming to the Bar, she ran her own consultancy, training lawyers, particularly in non-English speaking countries, to improve their written communications. She had previously worked at Allen & Overy in Brussels where she headed an English language legal communication team. While in Brussels, Annette also worked with SWIFT (the inter-bank network) to restructure their legal documentation. In addition, Annette has edited a broad range of LexisNexis publications, including online statutory databases and handbooks on insolvency, intellectual property and competition law.

Annette has a BA and LLB from the University of Melbourne and completed her articles with Arnold Bloch Leibler. She is currently completing a Master of Tax also at the University of Melbourne.

Since coming to the Bar, Annette has appeared in various courts and tribunals on diverse matters, including building and construction, financial services, trade practices and insolvency. She has written for CPDinteractive.com.au and the Australian Intellectual Property Law Bulletin.

Annette is accepting briefs in all commercial matters, as well as tax and administrative matters.

Annette lived in Europe for 15 years. She speaks French and Hebrew fluently.

Recent Cases

Annette has recent experience in building and construction matters, including:

Armstrong Constructions (Vic) Pty Ltd v Australian Pacific Airports (Melbourne) Pty Ltd – claiming progress payments under the *Building and Construction Industry Security of Payment Act 2002* (County Court of Victoria, led by Jeremy Twigg QC)

Adco Constructions (Vic) Pty Ltd v Straight Line Excavations Pty Ltd – resisting an application to quash an adjudication decision under the *Building and Construction Industry Security of Payment Act 2002* (County Court of Victoria, led by Jeremy Twigg QC)

Mackie Pty Ltd v Department of Human Services – prosecuting for breach of contract under a construction contract (County Court of Victoria, led by Jeremy Twigg QC)



Recent Cases (cont)

Annette also has recent experience in a broad range of other matters, including:

Timbercorp v Blazevic – defending a debt claim in the context of consumer protection legislation (Supreme Court of Victoria, unled)

Beer v Von Donkelaar – seeking a declaration of trust over and transfer of property held by the defendant (Supreme Court of Victoria, unled)

Tripodi Pty Ltd v Swan Hill Chemicals Pty Ltd – prosecuting a claim of negligence and misleading and deceptive conduct (County Court of Victoria, led by Jeremy Twigg QC)

Macleod v Wilman – defending a claim alleging monies had and received, unconscionable conduct and constructive trust (Magistrates Court of Victoria, unled)

Bartlett Transport Improvements Pty Ltd v Total Care Asphaltting Pty Ltd – acting for Bartlett in a negligence claim (Magistrates Court of Victoria, unled)

Brendave Pty Ltd (formerly Jem Partners Pty Ltd) v Godfrey Stewart & Judith Stewart – prosecuting a debt recovery proceeding (Magistrates Court of Victoria, unled)

Re Gee – resisting an administration and guardianship application (VCAT, unled)

Walter Morris v Stammers & Long – defending the tenants in a residential tenancy dispute (VCAT, unled)

Annette has been briefed to advise on a wide variety of matters, including:

- a consultancy agreement between an architectural design consultant and construction companies
- an insurance claim in a domestic building dispute
- a range of financial service disputes brought to the Financial Ombudsman Service, including an investment in units in a property trust, the appropriateness of financial advice, and consumer credit listings
- an unfair preference claim against the Australian Tax Office
- the application of the *Congestion Levy Act 2005* (Vic) to a carpark operator
- the deductibility of transport expenses