

# GREENS LIST

BARRISTERS



## NUNZIO LUCARELLI KC

SILK: 1999 | BAR ROLL: 1985 | ADMITTED: 1983

Nunzio Lucarelli KC practises in large, complex commercial litigation.

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CHAMBERS: Aickin Chambers

## EXPERTISE

**Alternative Dispute Resolution | Appellate | Commercial Law | Equity & Trusts Law | Public Law & Administrative Law**

## PROFILE

Nunzio has practised as a barrister in large, complex commercial litigation for 35 years. He has been a King's Counsel for 25 years. He focuses on commercial law, corporations law, international commercial arbitration, property law and equity, international law, torts, insolvency and administrative law. Nunzio is a Fellow of the Chartered Institute of Arbitrators and is a nationally-accredited mediator. In addition to being a member of the Victorian Bar, Nunzio is also a member of the Western Australian Bar. He holds chambers in Francis Burt Chambers in Perth, WA. Nunzio appears in international commercial arbitrations and frequently acts as a mediator in a wide range of matters.

Nunzio is experienced in all facets of trial and appellate advocacy in the Supreme Court of Victoria, the Supreme Court of Western Australia, the Supreme Courts of other States, the Federal Court of Australia, the High Court of Australia and in international commercial arbitrations. Nunzio has also acted for clients in Italy, Singapore, Japan and the United States.

Before coming to the Bar, Nunzio was Associate to the Hon. Justice Woodward of the Federal Court. Prior to this, he was a solicitor at Arthur Robinson & Co. (now Allens), practising in corporate reconstructions and

takeovers.

## MEMBERSHIP & ASSOCIATIONS

Fellow, Chartered Institute of Arbitrators, 2018.

Graduate of the Australian Institute of Company Directors, 2015.

Chair, Commercial Bar Association, Insolvency Law Section, 2000 - 2012.

Member, Insolvency section of the Law Council of Australia, 2000 - 2016.

## PRESENTATIONS & PUBLICATIONS

"The Unfair Contract Terms Law after *Karpik v Carnival Plc* [2023] HCA 39" - 16 Apr 2024

"A Refresher on the Law of Trusts: A Discussion Paper" - 13 Feb 2023

"Privacy Law: Data Breaches and Director's Duties" - 13 Feb 2023

"Insolvency: Recent Developments in the Law of Unfair Preferences. The Recent Decisions of the High Court in *Metal Manufacturers Pty Ltd v Morton and Bryant v Badenoch Integrated Logging Pty Ltd*" - 28 Mar 2023

"Recent Developments in the Mortgagee's Duties in Exercising a Power of Sale" - 7 Jun 2023

"Assignment of Causes of Action: *Billabong Gold Pty Ltd v Vango Mining Ltd* [No 2] [2023] WASCA 58" - 25 Jul 2023

"Solicitors' Duties as to the Preparation of Expert Reports: Recent Developments" - 25 Jul 2023

"*Are You and Your Clients Ready?* Unfair Contract Terms Turn into Pecuniary Penalties" - 23 Oct 2023

"The mortgagee's power to appoint a receiver: does the power extend to an appointment to a natural person and, if so, what is the extent of the power?" - 15 Nov 2023

"Recent developments in the key elements of misleading or deceptive conduct claims" - 6 Dec 2023

"Beneficiary Litigation for Breach of Trust" - 2022,

"The Principles of Pleadings: The Supreme Court of Western Australia; Statement of Claim: *Simon the Likeable v Kaos Systems Pty Ltd*" - 2022,

"The New Commercial Morality - The Boundaries of the Law of Unconscionable Conduct in Australia after *Stubbings v Jams 2 Pty Ltd*" - 2022,

"The date for the assessment of damages for breach of contract" - 2020,

"The impact of COVID-19 on commercial leases in Victoria" - 2020,

"Breach of directors' duties and oppression actions" - 2020,

"Statutory unconscionable conduct after *ASIC v Kobelt*" - 2019,

"Equitable remedies for commercial transactions outside of contract" - 2018,

"Mediations in Commercial Litigation: The Legislative and Common Law Framework for Legal Practitioners and Mediators" - 2017,

"Proportionate Liability Under Section 18 of the Australian Consumer Law: the impact of the High Court's decision in *Selig v Wealthsure Pty Ltd*" - 2016,

"The New Commercial Morality: The Boundaries of Unconscionable Conduct Under Section 21 of the Australian Consumer Law" - 2015,

"Opinion Evidence in Victoria: admissibility and the effects of the overarching obligations on experts" - 2011,

"The development of unconscionable conduct under Part IVA of the Trade Practices Act 1974 (Cth)" - 2008,


"Contempt of Court: breach of the implied undertaking" - 2007 (published in the Tasmanian Law Society Journal),

"Making the most of equitable remedies in litigation" - 2006,

"Maintenance and Champerty and recent developments in litigation funding" - 2004,

"Re Wakim: Cross-vesting and Back Again" - 1999 (published in the Victorian Bar News)

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