

# PUBLISHED WORKS – 2000

## AUTHORED RESEARCH BOOKS (A1)

- Baxt, R, Renard, I, Simkiss, R, Webster, J and Ramsay, I, *'CLERP' Explained: The Corporate Law Economic Reform Program Act 1999*, CCH Australia, Sydney (2000)
- Ford, H A J, Austin, R P and Ramsay I, *An Introduction to the CLERP Act 1999*, Butterworths, Sydney (2000)
- Hanrahan, P, Ramsay, I and Stapledon, G P, *Commercial Applications of Company Law*, CCH, Sydney (2000)

## EDITED BOOKS (A2)

- Ellinghaus, M P, *Australian Cases on Contract*, Code Press, Australia (2000)
- Glover, D and Patmore, G, *Reclaiming Our Government for the People: Labour Essays 2001*, Pluto Press Australia, Sydney (2000)
- Lindsey, T, *Indonesia: Bankruptcy, Law Reform and the Commercial Court*, Desert Pea Press, Sydney (2000)
- Ramsay, I, *Company Directors' Liability for Insolvent Trading*, CCH Australia and the Centre for Corporate Law and Securities Regulation, Sydney (2000)
- Rubenstein, K, *Individual Community Nation: Fifty Years of Australian Citizenship*, Australian Scholarly Publishing, Melbourne (2000)

## SUBSEQUENT EDITIONS OR REVISIONS (A3)

- Creighton, B and Stewart, A, *Labour Law: An Introduction*, Federation Press, Sydney (2000)
- Tilbury, M, Noone, M and Kercher, B, *Remedies: Commentary and Materials*, LBC Information Services, Sydney (2000)

## AUTHORED – OTHER (A6)

- Ramsay, I, Bennett, P, Easterbrook, S and Stapledon, G P, *Proxy Voting in Australia's Largest Companies*, Centre for Corporate Law and Securities Regulation, Melbourne (2000)
- Ramsay, I and Lamba, A, *Share Buy-Backs: An Empirical Investigation*, Centre for Corporate Law and Securities Regulation, Melbourne (2000)
- Ramsay, I, Stapledon, G P and Vernon, J, *Political Donations by Australian Companies*, Centre for Corporate Law and Securities Regulation, Melbourne (2000)
- Walker, S, *Media Law: Commentary and Materials*, LBC Information Services, Sydney (2000)

## CHAPTERS IN RESEARCH BOOKS (B1)

- Arup, C, Howe, J, Mitchell, R, O'Donnell, A and Tham, J C, 'Employment Protection and Employment Promotion: The Contested Terrain of Australian Labour Law' in M Biagi (ed), *Job Creation and Labour Law: From Protection Towards Pro-Action*, Kluwer Law International, Dordrecht (2000), 99–120
- Baxt, R and Ramsay, I, 'Corporate Governance, Directors' Duties, Members' Remedies' in R Baxt, I Renard, R Simkiss, J Webster and I Ramsay (eds), *'CLERP' Explained: The Corporate Law Economic Reform Program Act 1999*, CCH Australia, Sydney (2000), 5–65
- Evans, S, 'Mr Egan, the Legislative Council and Responsible Government: Commentary' in A Stone and G Williams (eds), *The High Court at the Crossroads: Essays in Constitutional Law*, Federation Press, Sydney (2000), 66–76
- Glover, D and Patmore, G, 'Reclaiming Our Government: An Introduction' in D Glover and G Patmore (eds), *Reclaiming Our Government for the People: Labour Essays 2001*, Pluto Press Australia, Sydney (2000), 1–20
- Howe, B and O'Donnell, A, 'Working Life, Families and the Welfare State' in W Weeks and M Quinn (eds), *Issues Facing Australian Families*, Longman, Sydney (2000), 225–239
- Howe, J, 'Job Start' and the Regulation of Wage Subsidy Programs in Australia' in M Biagi (ed), *Job Creation and Labour Law: From Protection Towards Pro-Action*, Kluwer Law International, Dordrecht (2000), 121–135
- Kenyon, A, 'Defamatory Meaning: Pleading and Practice in New South Wales' in E M Barendt (ed), *The Yearbook of Copyright and Media Law*, Oxford University Press, Oxford (2000), 100–114
- Lindell, G, 'Invalidity, Disapplication and the Construction of Acts of Parliament: Their Relationship with Parliamentary Sovereignty in the Light of the European Communities Act and the Human Rights Act' in A Dashwood and A Ward (eds), *The Cambridge Yearbook of European Legal Studies*, Hart Publishing, Oxford (2000), 399–415
- Lindsey, T, 'Black Letter, Black Market and Bad Faith: Corruption and the Failure of Law Reform' in C Manning and P Van Diermen (eds), *Indonesia in Transition: Social Aspects of Reformasi and Crisis*, Institute of Southeast Asian Studies, Singapore (2000), 278–92
- Lindsey, T and Taylor, V 'Rethinking Indonesian Insolvency Reform: Contexts and Frameworks' in T Lindsey (ed), *Indonesia: Bankruptcy, Law Reform and the Commercial Court*, Desert Pea Press, Sydney (2000), 2–14

- Noakes, D B, 'The Recovery of Employee Entitlements in Insolvency' in I Ramsay (ed), *Company Directors' Liability for Insolvent Trading*, CCH Australia, Sydney (2000), 129–147
- Opie, H, 'Australia' in P Redakcja and A J Szwarcza (eds), *Status Prawny Polskich Klubow i Zwiatkow Sportowych*, Wydawnictwo Poznanskie, Poznan (2000), 148–152
- Ramsay, I, 'Introduction' in R Baxt, I Renard, R Simkiss, J Webster and I Ramsay (eds), *'CLERP' Explained: The Corporate Law Economic Reform Program Act 1999*, CCH Australia, Sydney (2000), 1–4
- Ramsay, I, 'An Overview of the Insolvent Trading Debate' in I Ramsay (ed), *Company Directors' Liability for Insolvent Trading*, CCH Australia and the Centre for Corporate Law and Securities Regulation, Sydney (2000), 1–15
- Ramsay, I, 'Directors' Conflicts: An Empirical Study' in M Andenas and D Sugarman (eds), *Developments in European Company Law*, Kluwer Law International, London (2000), 141–162
- Ratner, S, 'Democracy and Accountability: The Criss-Crossing Paths of Two Norms' in G H Fox and B R Roth (eds), *Democratic Governance and International Law*, Cambridge University Press, Cambridge (2000), 449–490
- Renard, I and Simkiss, R, 'Takeovers and Compulsory Acquisitions' in R Baxt, I Renard, R Simkiss, J Webster and I Ramsay (eds), *'CLERP' Explained: The Corporate Law Economic Reform Program Act 1999*, CCH Australia, Sydney (2000), 67–148
- Rubenstein, K, 'The High Court of Australia and the Legal Dimensions of Citizenship' in K Rubenstein (ed), *Individual Community Nation: Fifty Years of Australian Citizenship*, Australian Scholarly Publishing, Melbourne (2000), 21–32
- Rubenstein, K and Halonkin, L, 'Introduction' in K Rubenstein (ed), *Individual Community Nation: Fifty Years of Australian Citizenship*, Australian Scholarly Publishing, Melbourne (2000), xiii–xxiv
- Saunders, C, 'Human Rights and the Nation State' in P Haberle and J P Muller (eds), *Menschenrechte und Burgerrechte in einer vielgestaltigen Welt*, Helbing and Lichtenhahn, Basel (2000), 135–160
- Saunders, C, 'The Implications of Federalism for Indigenous Australians' in Y Ghai (ed), *Autonomy and Ethnicity: Negotiating Competing Claims in Multi-Ethnic States*, Cambridge University Press, New York (2000), 266–286
- Saunders, C, 'The Separation of Powers' in B Opeskin and F Wheeler (eds), *The Australian Federal Judicial System*, Melbourne University Press, Melbourne (2000), 3–36
- Skene, L, 'Epilepsy and the Doctor's Duty of Care: Ethical and Legal Issues' in R G Beran (ed), *Epilepsy: Duty of Care*, Yozmot, Tel Aviv (2000), 19–21
- Stapledon, G P, 'Institutional Investors: What Are Their Responsibilities as Shareholders?' in J Parkinson, A Gamble and G Kelly (eds), *The Political Economy of the Company*, Hart Publishing, Oxford (2000), 195–231
- Tehan, M, 'Bridge of Division or Bridge of Understanding? Hindmarsh Island, Business and Rights' in S Rees and S Wright (eds), *Human Rights, Corporate Responsibility: A Dialogue*, Pluto Press, Sydney (2000), 116–139
- Triggs, G, 'Commercial Risks of Investment in the Timor Gap Treaty Zone of Cooperation Area' in D R Rothwell and M Tsamenyi (eds), *The Maritime Dimensions of Independent East Timor*, Centre for Maritime Policy, Wollongong (2000), 107–142

## CHAPTERS IN BOOKS (OTHER) (B2)

- Biddulph S, 'Aodaliya de Lifa Zhidu' in Xu, Zhangrun and Xu, Ping (eds), *Falu: Lixing yu Lishi*, China Law Press, Beijing, (2000), 113–139

## REFEREED JOURNAL ARTICLES (C1)

- Brennan, D, 'Locksmiths and Safecrackers in Cyberspace' (2000) 2 *Digital Technology Law Journal* 1–25
- Brennan, D, 'Printing in England and Broadcasting in Australia: A Comparative Study of Regulatory Impulse' (2000) 22 *Adelaide Law Review* 49–67
- Brennan, D, 'Technological Measures in the New Copyright Law' (2000) 11 *Australian Intellectual Property Journal* 83–93
- Brennan, D and Christie, A, 'Spoken Words and Copyright Subsistence in Anglo-American Law' (2000) 2000 *Intellectual Property Quarterly* 309–349
- Bruinsma, F, Venn, A and Skene, L, 'Assessing Patients' Records Without Individual Consent for Epidemiological Research' (2000) 8 *Journal of Law and Medicine* 76–80
- Bryan, M, 'Where the Constitutional Basis for Payment Has Failed' (2000) 8 *Restitution Law Review* 218–231
- Bryan, M and Ellinghaus, M P, 'Fault Lines in the Law of Obligations: Roxborough v Rothmans' (2000) 22 *Sydney Law Review* 636–663
- Chapman, A, 'Discrimination Complaint-Handling in NSW: The Paradox of Informal Dispute Resolution' (2000) 22 *Sydney Law Review* 321–50

- Chapman, A and Tham, J C, 'The Legal Regulation of Information in Australian Labor Markets: Disclosure to Employers of Information about Employees' (2000) 21 *Comparative Labor Law and Policy Journal* 613–649
- Christie, A, 'Simplifying Australian Copyright Law: The Why and the How' (2000) 11 *Australian Intellectual Property Journal* 40–62
- Christie, A, 'Some Observations on the Requirement of Inherent Patentability in the Context of Business Method Patents' (2000) 43 *Intellectual Property Forum* 16–22
- Davies, M, 'Common Law Liability of Statutory Authorities: *Crimmins v Stevedoring Industry Finance Committee*' (2000) 8 *Torts Law Journal* 133–151
- Davies, M, 'In Defence of Unpopular Virtues: Personification and Ratification' (2000) 75 *Tilane Law Review* 337–411
- Davies, M, 'Subrogation, Contribution and Insurance Law: An Australian View' (2000) 8 *Restitution Law Review* 70–81
- Dunn, K, 'Yakking Giants': Equality Discourse in the High Court' (2000) 24 *Melbourne University Law Review* 427–461
- Evans, S, 'Property, Proprietary Remedies and Insolvency: Conceptualism or Candour?' (2000) 5 *Deakin Law Review* 31–45
- Evans, S, 'When is an Acquisition of Property Not an Acquisition of Property?' (2000) 11 *Public Law Review* 183–204
- Fehlberg, B and Kelly, F, 'Jurisdictional Overlaps Between the Family Division of the Children's Court of Victoria and the Family Court of Australia' (2000) 14 *Australian Journal of Family Law* 211–233
- Fehlberg, B and Smyth, B, 'Pre-Nuptial Agreements for Australia: Why Not?' (2000) 14 *Australian Journal of Family Law* 1–22
- Fetter, J, 'Unilateral State Republicanism: Can Victoria Independently Sever its Links with the Crown?' (2000) 4 *Macarthur Law Review* 87–102
- Forsyth, A, 'Trade Union Regulation and the Accountability of Union Office-Holders' (2000) 13 *Australian Journal of Labour Law* 28–49
- Garnett, R, 'Should Foreign State Immunity Be Abolished?' (2000) 20 *Australian Yearbook of International Law* 175–190
- Heath, W, 'The Corporations Law, Section 181: A Two-Edged Sword' (2000) 18 *Company and Securities Law Journal* 377–383
- Keys, D, 'Genetic Testing and Insurance: When is Discrimination Justified?' (2000) 19 *Monash Bioethics Review* 79–88
- Lanham, D, 'Primary and Derivative Criminal Liability: An Australian Perspective' (2000) September *Criminal Law Review* 707–718
- Leighfield, S, 'Of Ships and Sealing Wax: Planning the Preservation of Movable Cultural Heritage within Australia' (2000) 17 *Environmental and Planning Law Journal* 214–230
- Lindell, G, 'The Australian Constitution: Growth, Adaptation and Conflict-Reflections About Some Major Cases and Events' (1999, printed in 2000) 25 *Monash University Law Review* 257–294
- Maogoto, J N, 'Watching the Watchdogs: Holding the UN Accountable for Violations of International Humanitarian Law by the 'Blue Helmets'' (2000) 5 *Deakin Law Journal* 47–80
- McCormack, T, 'What's in an Emblem? Humanitarian Assistance Under Any Other Banner Would Be as Comforting' (2000) 1 *Melbourne Journal of International Law* 175–184
- Mitchell, A, 'Leave Your Hat On? Head of State Immunity and Pinochet' (1999, printed in 2000) 25 *Monash University Law Review* 225–256
- Nicholson, P and Minh, N, 'Commercial Disputes and Arbitration in Vietnam' (2000) 17 *Journal of International Arbitration* 1–18
- Noakes, D B, 'Recovering Employee Entitlements and Uncommercial Transactions in Insolvency' (2000) 1 *Insolvency Law Bulletin* 20–22
- Noakes, D B, 'Reform to the Law of Corporate Groups in Australia to Protect Employees' (2000) 34 *University of British Columbia Law Review* 9–61
- O'Connell, A, 'The CGT Concessions for Small Business' (2000) 29 *Australian Tax Review* 183–188
- O'Connell, A, 'Option 2: Will it Change What is Included in Taxable Income?' (2000) 29 *Australian Tax Review* 68–80
- O'Connell, A, 'Superannuation and Tax – Some Equity Issues' (2000) 28 *Federal Law Review* 477–507
- O'Connell, A, 'Using Tax Concessions to Encourage Investment in SMEs' (2000) 28 *Australian Business Law Review* 443–457
- O'Donnell, A, 'The Public Employment Service in Australia: Regulating Work or Regulating Welfare?' (2000) 13 *Australian Journal of Labour Law* 143–166
- O'Donnell, A, 'Welfare After Work?' (2000) 14 *Arena* 140–156
- Orford, A, 'Positivism and the Power of International Law' (2000) 24 *Melbourne University Law Review* 502–529
- Otto, D, 'Handmaidens, Hierarchies, and Crossing the Public-Private Divide in the Teaching of International Law' (2000) 1 *Melbourne Journal of International Law* 35–69
- Pahuja, S, 'Technologies of Empire: IMF Conditionality and the Reinscription of the North/South Divide' (2000) 13 *Leiden Journal of International Law* 749–812

- Pahuja, S, 'Trading Spaces: Locating Sites for Challenge Within International Trade Law' (2000) 14 *Australian Feminist Law Journal* 38–54
- Ramsay, I, Lange, H and Woo, L, 'Corporate Governance and Anti-Takeover Devices: Evidence from Australia' (2000) 8 *Corporate Governance: An International Review* 227–243
- Ramsay, I, Stapledon, G P and Fong, K, 'Corporate Governance: The Perspective of Australian Institutional Shareholders' (2000) 18 *Company and Securities Law Journal* 110–142
- Ratner, S, 'Does International Law Matter in Preventing Ethnic Conflict?' (2000) 32 *New York University Journal of International Law and Politics* 591–698
- Rhoades, H, 'Child Law Reforms in Australia – A Shifting Landscape' (2000) 12 *Child and Family Law Quarterly* 117–133
- Rhoades, H, 'Posing as Reform: The Case of the Family Law Reform Act' (2000) 14 *Australian Journal of Family Law* 142–159
- Richardson, M, 'Australian Intellectual Property Law: The Form/Function Dilemma – A Case Study at the Boundaries of Trade Mark and Design Law' (2000) 22 *European Intellectual Property Review* 314–319
- Richardson, M, 'Copyright in Trade Marks? On Understanding Trade Mark Dilution' (2000) 2000 *Intellectual Property Quarterly* 66–83
- Richardson, M, 'Promotional Trade Marks and Trade Mark Law in Australia: Recent Cases' (2000) 11 *Entertainment Law Review* 189–192
- Robertson, A, 'Reasonable Reliance in Estoppel by Conduct' (2000) 23 *University of New South Wales Law Journal* 87–110
- Robertson, A, 'Reliance, Conscience and the New Equitable Estoppel' (2000) 24 *Melbourne University Law Review* 218–235
- Rubenstein, K and Adler, D, 'International Citizenship: The Future of Nationality in a Globalized World' (2000) 7 *Indiana Journal of Global Legal Studies* 519–548
- Saunders, C, 'Administrative Law and Relations Between Governments: Australia and Europe Compared' (2000) 28 *Federal Law Review* 263–290
- Savulescu, J, and Skene, L, 'Who Has the Right to Access Medical Information from a Deceased Person? Ethical and Legal Perspectives' (2000) 8 *Journal of Law and Medicine* 81–88
- Sievers, A S, 'Incorporation of Non-Profit Associations: The Way Ahead?' (2000) 18 *Company and Securities Law Journal* 311–325
- Skene, L and Nisselle, P, 'Access to Assisted Reproductive Technology: For Single, Gay, De Facto or Married Women' (2000) 1 *Medicine Today* 67–69
- Skene, L and Nisselle, P, 'Genetic Testing and Insurance: Where to Now?' (2000) 1 *Medicine Today* 107–110
- Skene, L and Nisselle, P, 'Late Termination of Pregnancy: When Is It Lawful?' (2000) 1 *Medicine Today* 103–106
- Skene, L and Nisselle, P, 'Who Owns Human Tissue: Patients, Hospitals, Researchers or Others?' (2000) 1 *Medicine Today* 89–92
- Stapledon, G P and Bates, J J, 'Unpacking the 'Interest-Holders' in a Share: Reducing the Costs of Voting' (2000) 4 *Company, Financial and Insolvency Law Review* 293–329
- Stewart, M, 'The David R Tillinghast Lecture: Commentary' (2000) 54 *Tax Law Review* 111–130
- Tilbury, M, 'Fairness Indeed? A Reply to Andrew Rogers' (2000) 8 *Torts Law Journal* 113–119
- Tilbury, M and Carter, J W, 'Converging Liabilities and Security of Contract: Contributory Negligence in Australian Law' (2000) 16 *Journal of Contract Law* 78–101
- Triggs, G, 'Japanese Scientific Whaling: An Abuse of Right or Optimum Utilisation?' (2000) 5 *Asia Pacific Journal of Environmental Law* 33–59
- Triggs, G, 'Legal and Commercial Risks of Investment in the Timor Gap' (2000) 1 *Melbourne Journal of International Law* 98–129
- Walker, K, '1950s Family Values vs Human Rights: In Vitro Fertilisation, Donor Insemination and Sexuality in Victoria' (2000) 11 *Public Law Review* 292–307
- Walker, K, 'Capitalism, Gay Identity and International Human Rights Law' (2000) 9 *Australasian Gay and Lesbian Law Journal* 58–73
- Walker, K, 'Equal Access to Assisted Reproductive Services: The Effect of *McBain v Victoria*' (2000) 25 *Alternative Law Journal* 288–291
- Walker, K, 'Sexuality and Refugee Status in Australia' (2000) 12 *International Journal of Refugee Law* 175–211
- Walker, K, 'Evolving Human Rights Norms Around Sexuality' (2000) 6 *International Law Students Association Journal of International and Comparative Law* 343–353
- Young, D and Bretherton, L E, 'Practicalities of Dealing with Native Title Under the Petroleum Act in Queensland' (2000) 40 *Australian Petroleum Production and Exploration Association Journal* 108–117
- Young, D and Kennedy, A M, 'Legal Highlights of 1999' (2000) 40 *Australian Petroleum Production and Exploration Association Journal* 96–102

## UNREFEREED JOURNAL ARTICLES (C2)

- Ali, P U and Stapledon, G P, 'Extracting Value from Executive Share Options' (2000) October *Company Director* 16–19
- Bird, R, 'Law of the Pacific Islands: A Guide to Web-Based Resources' (2000) October *Legal Library Resources Exchange* 1–8

- Bird, R, 'Notes from Australia' (2000) 6 *Legal Division Quarterly* 22
- Bird, R, 'Planning a Legal Resource Centre for the 21st Century' (2000) 8 *Australian Law Librarian* 93–106
- Cooper, G, 'Australia Announces Amendments to New Goods and Services Tax' (2000) 20 *Tax Notes International* 22–74
- Cooper, G, 'Australian Tax Office Releases Draft Ruling on Treaties' Effect on CGT' (2000) 21 *Tax Notes International* 923–924
- Cooper, G and Vann, R J, 'A Few Myths about the GST' (2000) 23 *University of New South Wales Law Journal* 11–16
- Fehlberg, B, 'Family Futures: Issues in Research and Policy' (2000) 56 *Family Matters* 4–9
- Fehlberg, B, 'Family Law Update' (2000) 55 *Family Matters* 52–55
- Fehlberg, B, 'Family Law Update' (2000) 56 *Family Matters* 64–65
- Howe, B and O'Donnell, A, 'All Work and No Play?' (2000) 10 *Eureka Street* 22–25
- Jones, D, 'Comfortable Relaxed Infra Projects' (2000) 15 *Construction Contractor* 40
- Jones, D, 'Compound Interest as Damages: The Approach in Australia and New Zealand' (2000) 17 *Construction Contractor* 427–438
- Jones, D, 'Keeping the IP in Your Projects' (2000) 15 *Construction Contractor* 47
- Jones, D, 'A Question of Babies or Bathwater' (2000) 15 *Construction Contractor* 32
- Jones, D, 'Tell the Truth or Blow Your Cover' (2000) 15 *Construction Contractor* 34
- Jones, D, 'The Tender Art of Outsourcing' (2000) 15 *Construction Contractor* 26
- Jones, D, 'When is Confidence Not a Confidence?' (2000) 15 *Construction Contractor*
- Mann, G J and Cooper, G, 'Alienation of Personal Services Income' (2000) 6 *Asia-Pacific Tax Bulletin* 294–297
- New, V, 'B'inyan Amiras Borchi Nafshai' (2000) 19 *Kevetz Chidushei Torah* 144–150
- New, V, 'Binyan Birchos Ha'torah' (2000) 19 *Kevetz Chidushei Torah* 100–102
- O'Connell, A, 'Australia Offers CGT Concessions for Small and Medium-Sized Businesses' (2000) 21 *Tax Notes International* 2241–2248
- O'Connell, A, 'New Capital Gains Tax Legislation Encourages Venture Capital in Australia' (2000) 18 *Journal of Taxation of Investments* 1–14
- Otto, D, 'Wrongly Counter-Posing Women's and Children's Rights: The Debate Over Limiting Access to Reproductive Technologies' (2000) 27 *Australian Children's Rights News* 24–25
- Otto, D and Wiseman, D, 'Social Justice and Human Rights: Assessing Australia's Compliance with the International Covenant on Economic, Social and Cultural Rights' (2000) 9 *Human Rights Defender* 7–9
- Pila, J, 'The Inherent Patentability of Methods of Medical Treatment in Australia' (2000) 1 *Genetics Law Monitor* 7
- Ramsay, I, 'Challenges to Australia's Federal Corporate Law' (2000) 3 *Journal of the Securities Institute of Australia* 26–29
- Ramsay, I, 'High Court Confirms Directors Owe No Duty to Creditors' (2000) 52 *Journal of Chartered Secretaries* 523–524
- Ramsay, I, 'The Hughes Case and Corporate Law' (2000) 70 *CPA Australia* 66–67
- Ramsay, I, 'The Unravelling of Australia's Federal Corporate Law' (2000) March *Corporate Law Electronic Bulletin* 31
- Skene, L, 'Genetic Discrimination in Australia' (2000) September–October *Genetics Law Monitor* 4–5
- Skene, L, 'Genetically Manipulated Crops in Australia: Some Consumer Concerns and Responses' (2000) July–August *Genetics Law Monitor* 9–10
- Skene, L, 'Withdrawing Cases from Juries After *Naxakix v Western General Hospital*' (2000) 74 *Law Institute Journal* 78–81
- Stapledon, G P, 'Voting Levels Remain Low in Australia' (2000) 2000 *Governance* 6–7
- Stapledon, G P and Bates, J J, 'Making Voting Easier' (2000) 2000 *Governance* 14–15
- Tehan, M, 'Mabo, Wik and the Native Title Amendment Act' (2000) 12 *Legal Date* 1–4
- Winckel, A, 'So What Exactly IS a Preamble?' (2000) 25 *Alternative Law Journal* 85–87
- Zeller, B, 'The UN Convention on Contracts for the International Sale of Goods (CISG) – A Leap Forward Toward Unified International Sales Laws' (2000) 12 *Pace International Law Review* 79–106

### UNREFEREED LETTERS OR NOTES (C3)

- Biegler, P, Stewart, C, Savulescu, J and Skene, L, 'Determining the Validity of Advanced Directives' (2000) 173 *Medical Journal of Australia* 335–336
- Biegler, P, Stewart, C, Savulescu, J and Skene, L, 'Determining the Validity of Advanced Directives' (2000) 172 *Medical Journal of Australia* 545–548
- Bryan, M, 'Book Review: D Hayton (ed), *Modern International Developments in Trusts Law*' (2000) 14 *Tolley's Trust Law International* 57–59
- Cooper, G, 'Editorial' (2000) 29 *Australian Tax Review* 131–132
- Forsyth, A, 'Book Review: J Campling and P Gollan, *Bargained Out: Negotiating Without Unions in Australia*' (2000) 13 *Australian Journal of Labour Law* 320–323
- Howe, J, 'Picketing and the Statutory Definition of 'Industrial Action'' (2000) 13 *Australian Journal of Labour Law* 84–91

- Kenyon, A, 'Art Loans: Great Art Living Dangerously' (2000) 8 *Museum National* 16
- Lindsay, D, 'Book Review: T Barr, New Media and New Policy' (2000) 5 *Media and Arts Law Review* 141–143
- Lindsay, D, 'Taming the Internet' (2000) 72 *Australian Quarterly* 19–20
- Mitchell, R, 'Book Review: K Wheelwright, Labour Law' (2000) 13 *Australian Journal of Labour Law* 110–111
- Noakes, D B, 'The Enforceability of Romalpa Clauses Against Liquidators and Administrators' (2000) 8 *Insolvency Law Journal* 112–115
- Noakes, D B, 'Pooling the Assets and Liabilities of Insolvent Companies' (2000) 8 *Insolvency Law Journal* 179–182
- Reinhardt, G, 'Buller Ski Lifts Pty Ltd v Mt Buller Alpine Resort Management Board' (2000) 15 *Australian Insurance Law Bulletin* 59–60
- Reinhardt, G, 'Cases Pending Before the High Court' (2000) 15 *Australian Insurance Law Bulletin* 99
- Reinhardt, G, 'The Changing Face of Adversarial Justice' (2000) 12 *Legal Date* 1–4
- Reinhardt, G, 'Commercial Union v Beard and Ors' (2000) 15 *Australian Insurance Law Bulletin* 22–24
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 81–83
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 83–84
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 83–85
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 86–87
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 87
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 87–89
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 87–90
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 90–92
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 94–97
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 97–99
- Reinhardt, G, 'Courts and Tribunals – Supreme Court Judgements' (2000) 74 *Law Institute Journal* 108–109
- Reinhardt, G, 'Funding of Litigation by Insurers' (2000) 15 *Australian Insurance Law Bulletin* 73–75, 84
- Reinhardt, G, 'GIO Australia Ltd & Anor v Appleby & Anor' (2000) 15 *Australian Insurance Law Bulletin* 27–28
- Reinhardt, G, 'Hollis v Vabu Pty Ltd (Trading as Crisis Couriers)' (2000) 15 *Australian Insurance Law Bulletin* 24–25
- Reinhardt, G, 'House of Lords Redefines Practitioner Immunity' (2000) 15 *Australian Insurance Law Bulletin* 61–64
- Reinhardt, G, 'House of Lords Redefines Practitioner Immunity' (2000) 74 *Law Institute Journal* 77–79
- Reinhardt, G, 'J J Leech & Sons (Vic) Pty Ltd v Underwriting Agencies of Australia Pty Ltd' (2000) 15 *Australian Insurance Law Bulletin* 96–97
- Reinhardt, G, 'Lister v Romford Ice and Cold Storage Lives On' (2000) 15 *Australian Insurance Law Bulletin* 79–80, 84
- Reinhardt, G, 'Mercantile Mutual Insurance (Australia) Pty Ltd v Selikas' (2000) 15 *Australian Insurance Law Bulletin* 95–96
- Reinhardt, G, 'Roberts v Cashman' (2000) 15 *Australian Insurance Law Bulletin* 88–90
- Reinhardt, G, 'Telstra Super Pty Ltd v Flegeltaub' (2000) 15 *Australian Insurance Law Bulletin* 97–98
- Saunders, C, 'Australian Experiments in Administrative Law' (2000) 1997–2000 *Law and Justice* 53–65
- Saunders, C, 'Australian Federalism and the Role of the Governor-General' (2000) 28 *International Journal of Legal Information* 407–423
- Saunders, C, 'Federal Fiscal Reform and the GST' (2000) 11 *Public Law Review* 99–105
- Saunders, C, 'Reflections on the Referendum' (2000) 2000 *ALSA Reporter* 5–7
- Tehan, M, 'Book Review: S Pritchard (ed), Indigenous Peoples, the United Nations and Human Rights' (2000) 19 *The Australian Yearbook of International Law* 1998 85–92
- Tilbury, M, 'Book Review: J Cottrell, Law of Defamation in Commonwealth Africa' (2000) 8 *Torts Law Review* 148–151
- Triggs, G, 'Asian Nations in Transition to Market Economies and the World Trade Organisation: The Shrimp Case' (2000) 28 *International Journal of Legal Information* 336–349
- Wood, D, 'Book Review: D Nicholson and J Webb, Professional Legal Ethics: Critical Interrogations; and, C Parker, Just Lawyers: Regulation and Access to Justice' (2000) 27 *Journal of Law and Society* 487–492

## OTHER CONTRIBUTIONS TO REFEREED JOURNALS (C5)

- Ali, P U and Stapledon, G P, 'Having Your Options and Eating Them Too: Fences, Zero-Cost Collars and Executive Share Options' (2000) 18 *Company and Securities Law Journal* 277–282
- Ali, P U and Stapledon, G P, 'Virtual Flotations, Tracking Shares and Corporate Governance' (2000) 18 *Company and Securities Law Journal* 429–433
- Chapman, A, 'Anti-Discrimination Act 1998 (Tas)' (2000) 13 *Australian Journal of Labour Law* 183–193
- Chapman, A, 'Industrial Legislation in 1999' (2000) 42 *Journal of Industrial Relations* 29–40
- Davies, M, 'Australian Maritime Law Decisions 1999' (2000) August *Lloyd's Maritime and Commercial Law Quarterly* 404–420
- Evans, S, 'From Private Property to Public Law' (2000) 28 *Federal Law Review* 155–167
- McCormack, T, 'Book Review: T Meron, War Crimes Law Comes of Age: Essays' (2000) 47 *Netherlands International Law Review* 97–100
- Murray, J, 'Australia in the Dock: The ILO's Decision on the Waterfront Dispute' (2000) 13 *Australian Journal of Labour Law* 167–170
- Murray, J, 'Opting Out: A New Proposal for Self-Regulation' (2000) 13 *Australian Journal of Labour Law* 315–319
- O'Donnell, A and Tham, J C, 'Participation for All? The McClure Report on Welfare Reform' (2000) 13 *Australian Journal of Labour Law* 297–307
- Richardson, M, 'Redefining the Boundaries of Unfair Competition: The Changing Face of Trade Mark Law in Australia' (2000) 2000 *Intellectual Property Quarterly* 295–300
- Sarmas, L, 'What's a Wog Girl Like Me Doing in a Place Like This?' (2000) 14 *Australian Feminist Law Journal* 90–99
- Saunders, C, 'Applications of Republican Liberty' (2000) 25 *Australian Journal of Legal Philosophy* 137–142
- Skene, L, 'Medico-Legal Hypothetical: Medical Law Course in Half a Day' (2000) 19 *Monash Bioethics Review* 56–68
- Smith, M, 'Asia Through Australian Eyes: An Interview with Malcolm Smith' (2000) 28 *Asia Business Law Review* 46–52
- Smith, M, 'Building an Asian Law Collection' (2000) 28 *International Journal of Legal Information* 362–372
- Stapledon, G P and Bates, J J, 'Reconceptualising the Nature of Modern Shareholding (and Making Voting Easier)' (2000) 18 *Company and Securities Law Journal* 155–159
- Triggs, G, 'UN–Australian Relations' (2000) 72 *Australian Quarterly* 4–6
- Waugh, J, 'Minority Government in Victoria' (2000) 11 *Public Law Review* 11–14

## REFERENCE WORKS (D4)

- Box, A, Morrison, I and Telfer, J, 'Wills Probate and Administration: Victoria' in *Wills Probate and Administration: Victoria* updates 6 and 7 (2000) LBC Information Services, Sydney
- Bryan, M, 'Breach of Trusts' in J K Armitage and A R Emmett (eds), *Trusts Law Australia: Principles and Practice* (2000) Butterworths, Sydney 21011–21072
- Bryan, M, 'Constructive Trusts' in J K Armitage and A R Emmett (eds), *Trusts Law Australia: Principles and Practice* (2000) Butterworths, Sydney 9011–9065
- Bryan, M, 'Ethical Duties' in J K Armitage and A R Emmett (eds), *Trusts Law Australia: Principles and Practice* (2000) Butterworths, Sydney 15011–15042
- Bryan, M, 'Management of Trusts' in J K Armitage and A R Emmett (eds), *Trusts Law Australia: Principles and Practice* (2000) Butterworths, Sydney 17011–17049
- Creighton, B, 'Australian Paper Limited v CEPU' in A Gladstone (ed), 18 *International Labour Law Reports* (2000) Martinus Nijhoff, The Hague 454–469
- Creighton, B, 'Patrick Stevedores Operations No 2 Pty Ltd v Maritime Union of Australia' in A Gladstone (ed), 18 *International Labour Law Reports* (2000) Martinus Nijhoff, The Hague 433–453
- Creighton, B, 'Qantas Airways v Christie' in A Gladstone (ed), 18 *International Labour Law Reports* (2000) Martinus Nijhoff, The Hague 130–149
- O'Connell, A, 'Securities Regulation' in J A Riordan (ed), *Laws of Australia* (2000) Law Book Company, Melbourne 49–50/29
- Palmer, A, 'Property Offences' in I Freckleton (ed), *Criminal Law, Investigation and Procedure: Victoria* (2000) LBC Information Services, Sydney 12497–12643
- Saunders, C, 'The Parliament as Partner? A Century of Constitutional Review' *The Commonwealth Parliament: Information and Research Services Research Paper No 3* (2000) Commonwealth Parliament, Canberra 46 pages
- Skene, L, 'Registration of Medical Practitioners' in H Gibbs (ed), *Halsbury's Laws of Australia* (2000) Butterworths, Sydney 518073–518141

## FULLY WRITTEN REFEREED CONFERENCE PAPERS (F1)

- Christie, A, 'Why E=mc<sup>2</sup> (and Almost Everything Else) Is Inherently Patentable', IASTED International Conference on Law and Technology, IASTED/ACTA Press, Anaheim, 2000

## FULLY WRITTEN UNREFEREED CONFERENCE PAPERS (F2)

- Cooney, S, 'Private Sector Initiatives on Labour Standards: Outline of a Research Project', Labour Law Reform for the Twenty-First Century: Responding to Globalization and Social Changes, Tokyo, Japan/US/EU Joint Research, 2000
- Cooney, S, 'Testing Times for the ILO: Institutional Reform for the New International Political Economy', Labour Law Reform for the Twenty-First Century: Responding to Globalization and Social Changes, Tokyo, Japan/US/EU Joint Research, 2000
- Cooney, S and Mitchell, S, 'Labour Relations and the Law in Three Asian NICS: Some Problems and Issues for Comparative Labour Law Inquiry', Global Integration and Challenges for Industrial Relations and Human Resource Management in the Twenty-First Century: International Industrial Relations Association Twelfth World Congress, International Industrial Relations Association, 2000
- Cooper, G, 'The Future of the Income Tax', 2000 World Tax Conference, Toronto, Canada, Canadian Tax Foundation, 2000
- Forsyth, A, 'The Retreat from Government Support for Employee Consultation and Participation in the Workplace', Australian Law Teachers Association Conference, 2000
- Jones, D, 'Alliancing and Other Forms of Cooperative Contracting with Government: A Local and International Viewpoint', Alliance Contracting in Construction, 2000
- Jones, D, 'Some Aspects of the Contemporary Legal Scene in Australia', Anglo-Australasian Lawyers Society, 2000
- Jones, D, 'Strategic Alliances: A More Effective Risk-Allocation Mechanism for Public-Sector Contracts?', Managing Risk in Construction, 2000
- Orford, A, 'The Power of International Law', Joint Meeting of ANZSIL and ASIL, Canberra, Centre for International and Public Law, 2000
- Orford, A, 'The Subject of Globalization: Economics, Identity and Human Rights', Ninety-Fourth Annual Meeting of the American Society of International Law, American Society of International Law, Washington DC, 2000
- Otto, D, 'The Third World and International Law: Voices from the Margins', Ninety-Fourth Annual Meeting of the American Society of International Law, American Society of International Law, Washington DC, USA (2000)
- Otto, D, 'Some Thoughts on Resisting Hierarchies in the Teaching of International Law', Joint Meeting of ANZSIL and ASIL, Sydney and Canberra, Centre for International and Public Law, 2000
- Patmore, G, 'Industrial Democracy for Australia: Towards a New Form of Employee Representation in the Workplace', Unchain My Mind: Forum Organised by Pluto Press Australia and the Australian Fabian Society, 2000  
[http://www.plutoaustralia.com/fabian-pluto/g\\_patmore.html](http://www.plutoaustralia.com/fabian-pluto/g_patmore.html), Pluto Press Australia
- Ramsay, I, 'Corporate Governance: An Overview of the Key Issues and Debates', Australian Securities and Investments Commission Corporate Governance Program, 2000
- Ramsay, I, 'Corporate Governance and Voting by Institutional Investors', Australian Institute of Superannuation Trustees Corporate Governance Conference, 2000
- Ramsay, I, 'The Financial Services Reform Bill: An Overview', Risky Business: Insurance and Financial Services Industry Conference, 2000
- Reinhardt, G, 'Section 54 of the Insurance Contracts Act—The High Court Appeal in FAI General Insurance Company Ltd v Australian Hospital Care Pty Ltd', Insurance Law Intensive, The Australian Insurance Law Association (Queensland Branch) in conjunction with the Queensland Law Society, Queensland, 2000
- Saunders, C, 'The Head of State: The Australian Experience', Building the Constitution, Institute of Policy Studies, Victoria University, Wellington, 2000
- Triggs, G, 'Creative Obfuscation: Joint Development Agreements and Management of Sovereignty Disputes', Joint Meeting of ANZSIL and ASIL Centre for International and Public Law, Canberra, 2000
- Walker, K, 'Capitalism, Gay Identity and International Human Rights Law', The Ninety-Third Annual Meeting of the American Society of International Law, United States, 2000
- Young, D, 'Environmental Approvals and Native Title: Special Procedural Requirements', Minerals Council of Australia Fourth International and Twenty-Fifth National Environmental Workshop, 2000

## NON-DETYA CONFERENCE PAPERS

- Walker, K, 'Sexuality and Human Rights Law' (paper presented at International Legal Challenges for the Twenty-First Century – Proceedings of a Joint Meeting of the Australian and New Zealand Society of International Law and the American Society of International Law, Canberra, 2000)
- Walker, K, 'Sexuality and Human Rights in Europe: An Update' (paper presented at Queer Law 2000, New York University Law School, New York, 2000)

## REPORTS AND WORKING PAPERS (G4)

- Adams, M, Hodgson, D, Kelly, C and Tilbury, M, *Set-Off*, NSW Law Reform Commission Reports, Sydney (2000)
- Baker, J, Lindsey, T, McIntyre, A and Robison, R, *Australia and the New Indonesia: Rethinking the Relationship*, Perth, Western Australia (2000)
- Baragwanath, C and Howe, J, *Corporate Welfare: Public Accountability for Industry Assistance*, Australia Institute Discussion Papers, Canberra (2000)
- Hancock, L, Howe, B and O'Donnell, A, *Reshaping Australian Social Policy: Changes in Work, Welfare and Families*, Melbourne, Committee for Economic Development of Australia (2000)
- Lindsay, D, *Copyright Infringement Via the Internet: The Liability of Intermediaries*, Centre for Media, Communications and Information Technology Law, Research Papers, Melbourne (2000)
- Lindsay, D, *The Future of the Fair Dealing Defence to Copyright Infringement*, Centre for Media, Communications and Information Technology Law, Research Papers, Melbourne (2000)
- Lindsay, D, *Liability for the Publication of Defamatory Material Via the Internet*, Centre for Media, Communications and Information Technology Law, Research Papers, Melbourne (2000)
- Lindsey, T, *AusAID Law Reform Project Design Appraisal Report*, AusAID, Canberra (2000)
- Lindsey, T, *Legal Infrastructure in East Asia: Issues and Challenges*, AusAID, Canberra (2000)
- Lindsey, T, Rich, R, King, R, Elek, A and Ng, C, *Report of the Indonesia Governance Sector and Identification of Mission*, AusAID, Canberra (2000)
- O'Donnell, A and Mitchell, R, *Immigrant Labour in Australia: The Regulatory Framework*, Centre for Employment and Labour Relations Law, Working Papers, Melbourne (2000)
- O'Donnell, A and Mitchell, R, *Immigration Law and Policy, and Its Contribution to Labour Market Regulation: A Historical Survey to 1979*, Centre for Employment and Labour Relations Law, Working Papers, Melbourne (2000)
- Otto, D, *Retreating from the Full Realization of Economic, Social and Cultural Rights in Australia: A Gendered Analysis*, Melbourne, Women's Rights Action Network, Australia (2000)
- Richardson, M, Gans, J, Hanks, F and Williams, P, *The Benefits and Costs of Copyright: An Economic Perspective*, Centre for Copyright Studies Discussion Papers, Centre for Copyright Studies, Sydney (2000)
- Young, D, *Environmental Approvals and Native Title: Special Procedural Requirements*, Minerals Council of Australia Fourth International and Twenty-Fifth National Environmental Workshop (2000)