

Christopher Chiam

Tenth Floor Chambers
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Education

University of Sydney	2023
<ul style="list-style-type: none">- Master of Laws- Judge Samuel Redshaw Prize for Administrative Law	
University of New South Wales	2018
<ul style="list-style-type: none">- Bachelor of Laws – First Class Honours and University Medal- Bachelor of Commerce (Accounting) with Distinction- First place in contracts, evidence and constitutional law	

Admissions

Called to the New South Wales Bar	May 2023
Admitted to the High Court of Australia	January 2020
Admitted to the Supreme Court of New South Wales	December 2019

Professional Background

Barrister Tenth Floor Chambers	2023 – present
Teaching Fellow University of New South Wales	2023
Tipstaff/Associate to the Hon Justice AJ Meagher New South Wales Court of Appeal	2020 – 2021
Solicitor Herbert Smith Freehills Practised in dispute resolution group	2019 – 2020, 2022

Select Cases

Commercial, Equity, Building & Construction

- *AKI Management Pty Ltd v Chan*, NCAT (ongoing) – for respondent; commercial tenancy, unconscionable conduct (unled)
- *Zhang Chef Restaurant Pty Ltd v Chan & Chan*, NCAT (settled) – for respondents/cross-claimants; commercial tenancy, misleading and deceptive conduct (unled)
- *Lee v ATL (Australia) Pty Ltd*, NSWCA (ongoing) – for respondent; commercial guarantee and indemnity (led by P Knowles SC)
- *Chan & Fan v AKI Management Pty Ltd*, NSWSC (settled) – for plaintiffs; removal of caveat (led by S Lawrance SC)

- *Palmer v Zaher & Ors*, NSWSC (ongoing) – for first defendant; debt, unconscionable conduct, undue influence (led by S Balafoutis SC)
- *Cliff & Cliff v Northern Point Construction & Ors*, NSWSC (ongoing) – for first defendant; building and construction (led by J Nathan)
- *Waterproofing Technologies Pty Ltd & Anor v Perri & Ors*, FCA (ongoing) – for applicants; breach of employment contract, fiduciary duties, statutory duties (led by A McInerney SC)
- Dispute under *Dividing Fences Act 1991* (NSW) (ongoing) – for applicant (unled)

Administrative Law

- *FMG v Children's Guardian*, NCAT (ongoing) – for respondent; review of refusal to grant working with children's clearance (unled)
- *Guan v Australian Securities and Investments Commission*, AAT (ongoing) – for respondent; review of banning order under *Corporations Act*, s 920A (led by M Ellicott)
- Advising statutory body on potential challenge to Ministerial decision-making

As solicitor

- *Qantas Airways Ltd v L3 Harris Technologies*, NSWSC – for plaintiff; breach of contract
- *Seven Network (Operations) Ltd v Gravity Media Ltd*, NSWSC (settled) – for plaintiff; expedition, breach of contract
- *ASIC v Mitchell & Anor (No 2)* [2020] FCA 1098 – for second defendant; defended breach of director duties claim
- *ASIC v Mitchell & Anor* [2019] FCA 1484 – for second defendant; contested privilege claim
- *Re Car Buyers Australia Pty Ltd* [2020] FCA 599 – for applicant; section 1322 application
- Acted for company officers in ASIC examinations
- Various advices on areas including contract, tort, corporations, equity, public law and statutory construction

Select Publications

- 'Revisiting the Amerind Appeal – Consequences for Insolvent Trustees of More than One Trust' (2022) 30(1) *Insolvency Law Journal*
- 'According to the Length of the Legislature's Foot – Equity and the *Civil Liability Act*' (2022) 96(3) *Australian Law Journal*
- 'Peremptory Mandamus in Australian Administrative Law' (2021) 28(1) *Australian Journal of Administrative Law*
- 'The Right to Reasons and the Courts' Supervisory Jurisdiction' (2020) 41(2) *Adelaide Law Review*
- 'A Comparative Analysis of Product Intervention Powers in Australia and the United Kingdom' (2020) 38(4) *Company and Securities Law Journal*

- 'Dollars and Sense: Giving Contracts a 'Commercial' Construction' (2020) 34(2) *Commercial Law Quarterly*
- 'Trustee Rights and Powers: A Taxonomical Analysis' (2020) 32 *Bond Law Review*
- 'Equitable Damages and Mitigation of Loss' (2019) 47(3) *Australian Bar Review*
- 'High Tide for Deeds of Company Arrangement? A Critical Review and Comment on *Mighty River International Limited v Hughes* [2018] HCA 38' (2019) 26(3) *Company and Securities Law Journal*
- 'The Future of the Fettering Rule in Judicial Review' (2019) 38(1) *University of Tasmania Law Review*
- 'Domestic Care Services and *Lord Campbell's Act*' (2018) 25(1) *Tort Law Journal*
- 'Characterising Migration Directions as Legislative Instruments: Implications for Judicial Review' (2018) 24(4) *Australian Journal of Administrative Law*
- 'Editorial - Materiality and Jurisdictional Error' [2018] No 4 *University of New South Wales Law Journal Forum*
- 'Editorial' (2017) 40(4) *University of New South Wales Law Journal*

Other Achievements

- UNSW Law Journal Editorial Board (2015 – 2018). Editor in charge of Issue 40(4)
- Michael Coper Memorial Prize for ALSA Conference Paper Presentation 2018
- Runner Up and Best Speaker – Asia Pacific Red Cross International Humanitarian Law Moot 2018
- Winner, Best Speaker and Best Speaker in the Final – ALSA Red Cross Moot 2017
- Winner and Best Speaker in the Final – Castan Centre for Human Rights National Moot 2016
- Winner – King & Wood Mallesons ALSA Championship Moot 2015
- Winner and Best Speaker in the Final – Ashurst National Private Law Moot 2015