



## Banking and finance

Our banking and financial services team brings more than 30 years' experience across the full spectrum of financing transactions, ranging from straightforward retail and commercial lending to complex structured and project financing matters.

We act for major banks, credit unions, financiers, originators and sub-originators, which helps us understand the challenges and opportunities faced by the banking and finance industry.

We have developed the experience, capacity and necessary accreditations to document, settle and perfect lending transactions in all eight jurisdictions of Australia, and we work hard at maintaining that expertise.

Over the last 10 years we have successfully completed over 100,000 transactions on behalf of bank and non-bank lenders over a wide range of legal services, from lending through to consumer and corporate recovery. We annually complete upwards of \$1.5 billion in commercial banking transactions across all Australian states and territories.

### Our key services

- commercial finance documentation and security in all Australian states and territories
- retail lending across all Australian jurisdictions
- compliance issues, including under the new National Credit Code
- insolvency and debt recovery
- advice and litigation relating to Australian Financial Services Licences (AFSLs)
- syndicated lending and security transactions
- security reviews/structuring advice
- equity participation/venture capital transactions
- project and asset finance
- real estate development/joint venture finance.

## Specialist expertise

Our banking and financial services team is led by partner Greg Thorne.

Greg has a deep understanding of lending practices in all eight Australian states and territories, complemented by knowledge of underlying real and personal property laws (including the contract formation process, and titling regimes such as Torrens, Old System, Company title, and State land systems) of each jurisdiction.

Greg has completed a number of major research papers, including on the following topics:

- The New Personal Property Securities System: The Key Principles
- Security for Commercial Lending: Cross Company Securities and the Corporate Benefit Maze
- Intangible Assets as Loan Collateral – Separating book debts and their proceeds. An examination of

the Privy Council decision in the Brumark litigation and its implications for secured finance transactions in Australia involving book debts as loan collateral

- The Mortgagee's Right to Foreclosure Against Queensland State Lands
- Law of Guarantees: Select Issues
- A Cure for the Defects in the Independent Solicitors Certificate System for Guarantees in the Australian Lending Process
- Electronic Commerce: e-Contract Formation by Clickwrap
- Legal Regulation of the Internet: the Jurisdiction of the Supreme Court of Queensland over Causes of Action in Contract or Tort formed/committed over the Internet
- Civil Procedure – Theory and Practice: An examination of the Expanded Summary Judgement Jurisdiction under the Uniform Civil Procedure Rules.

### Key team contacts



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## About Cooper Grace Ward

With more than 200 team members, Cooper Grace Ward is a leading Australian law firm based in Brisbane, servicing clients with a local, national and international presence. As a full service firm, we are known for providing commercial and practical advice, outstanding service and excellence in all practice areas.

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