

Philip Corbett KC



Phil Corbett KC has an extensive commercial law practice in all jurisdictions

QUALIFICATIONS

Bachelor of Arts
Bachelor of Laws (Mon)
Master of Laws (Melb)

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Appellate | Banking & Finance | Bankruptcy | Building & Construction | Class Actions | Commercial Arbitration | Competition | Consumer Credit | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities | Energy & Resources | Equity & Trusts | Insurance | Private International Law | Real Property | Residential & Retail Tenancies | Sports Law | Superannuation | Taxation | Wills & Probate | Regulatory Investigations

EMPLOYMENT & INDUSTRIAL

Restraint of Trade

INTELLECTUAL PROPERTY

Confidential Information | Privacy & Data Protection

TORT LAW

Appellate | Class Actions | Commissions & Inquiries | Inquests | Negligence | Professional Negligence

PUBLIC LAW

Administrative Law | Aged Care | Appellate | Commissions & Inquiries | Guardianship & Administration |

Phil Corbett has over 30 years of litigation and dispute resolution experience. He has an extensive commercial practice in all jurisdictions. He specialises in appeals, contractual disputes, corporations, building and construction, commercial arbitration, trusts, franchising, retail leases, real property, professional negligence, equitable remedies, trade practices and insolvency.

He has appeared as counsel at royal commissions, public examinations, disciplinary proceedings and regulatory investigations.

Phil is also a sessional member of the National Sports Tribunal appointed in 2021. He is a member of the Federal Court Users Group-Insolvency section and a former director of the Wellness in the Law Foundation.

Phil will accept direct briefs in appropriate cases and is pleased to accept instructions directly from corporate counsel.

Phil is a very experienced mediator and is frequently retained to mediate complex commercial and private disputes. He is also experienced in conducting independent investigations for organisations including disciplinary matters.

Phil is currently ranked as a "Leading" Senior Counsel in the Legal 500 (Legalease) Asia Pacific 2024 Edition for Australia The Bar.

Liability limited by a scheme approved by Professional Standards Legislation

Recent Cases

COMMERCIAL LAW AND APPEALS

Abdo v Said [2022] VSC 372 (Contract for Sale of Land, rescission, loss of opportunity damage. Approval of compromises)

Atg Lanka (PVT) Ltd v Safety Mate Pty Ltd [2021] VSC 820 (Contract, Termination, Good Faith, breach and damages)

Mediations: appointed by Commonwealth Ombudsman to mediate disputes between private health insurer and health service provider

Investigations: Review unincorporated association constitution, dispute resolution procedures and disciplinary action

Queenfield Pty Ltd v Gordon Finance Pty Ltd [2020] VSCA 282 (Appeals, contract law, rectification and estoppel)

Mediator appointed to assist resolution of national franchise dispute between franchisor and franchisees throughout Australia

MWL Financial Group Pty Ltd v Focus Australia Holdings [2020] FCA 548 (Injunctions, shareholders rights and remedies, derivative proceedings)

Safer Storage Systems v Dexion (Australia) Pty Ltd (2019) 148 IPR 450 (Injunctions, restraint of trade, misleading and deceptive conduct)

ATG Lanka (PVT) v Safety Mate Pty Ltd [2019] VSC 634 (Injunctions, wrongful termination, restraint of trade, declaratory relief)

Application for review and appeal of the suspension of building practitioner by Victorian Building Authority in relation

to use of combustible cladding (November 2019, VCAT)

ASIC Investigations arising from Banking Royal Commission (2019- 2020)

Royal Commission into Aged Care Quality and Safety (2019 -2020) (retained to act and appear for various Victorian Aged Care Service providers)

Shao v AG Advance Construction Pty Ltd [2019] VSCA 93 (Judicial review, building and construction, domestic building contracts, breach and damages)

JPA Finance Pty Ltd v Gordon Nominees Pty Ltd [2019] VSC 171 (Contract, breach, equity, relief against forfeiture)

Westpoint Corporation Pty Ltd (in Liquidation) v Yeo [2018] VSC 705 (Corporations, insolvency, liquidator's remuneration)

Bowden v Murray Valley Aboriginal Cooperative [2018] VSC 591 (Practice and procedure, pleadings, director's duties, employment law)

Northway Panels v Warry [2018] VSC 581 (Corporations, injunctions, insolvency, winding up)

Colin R Price & Associates v Four Oaks Pty Ltd [2017] FCFCA 101 (Appeals, unconscionable conduct, misleading conduct, contract, building and construction)

Byrne v Javelin Asset Management Pty Ltd [2016] VSCA 214 (Appeals, Class actions, settlement and compromise)

Vicwest Community Telco Limited [2016] VSC 1133 (Corporations, schemes of arrangement mergers and acquisitions)

ASIC v Sino Australia Oil and Gas Limited [2016] FCA 934 (Breach of director's duties, disqualification, false representations and penalties)

ASIC v Sino Australia Oil and Gas Limited [2016] FCA 16; [2016] FCA 201 (Provisional liquidation and winding up on just and equitable grounds)

Whirlpool (Australia) Pty Ltd v Castel Electronics Pty Ltd [2015] FCA 906 (Cross-vesting, antisuit injunctions).

LHRC v DCT [2015] FCAFC 184 (Appeals, administrative law, judicial review and taxation)

In Re Gunns Limited (No 6) [2015] VSC 425 (Managed investment schemes, liquidators' approval, schemes of arrangement)

Legal Services Board v Forster [2015] VSC 136 (Disciplinary proceedings, freezing orders, injunctions, variation of injunctions)

Falkingham v Peninsula Kingswood Golf Club Limited [2015] VSCA 16 (Appeals, sale of land, incorporated associations and civil procedure)

Bryant & Ors (in their capacity as Liquidators of Gunns Plantations Limited in Liquidation) [2014] VSC 369 (Managed Investment Schemes, corporations, insolvency and reconstruction)

Bob Jane Corporation Pty Limited v Jane [2014] VSC 27 (Jurisdiction of Courts and cross-vesting, family law)

L & H New Developments Pty Limited v MYR Investments Pty Ltd [2013] VSC 689 (Partnership, receivership and winding up of partnership business) and *(No 2)* [2015] VSC 89 (taking of partnership accounts and preliminary questions)

AJB Group Pty Ltd v Qanstruct Construction (Aust) Pty Ltd (November 2013- Private Commercial Arbitration,

Building and Construction Contracts and latent defects)

Oil for Food Royal Commission - Junior counsel for AWB Limited (2005-2009)

Memberships

Victorian Bar - Commercial Bar Association

Victorian Bar - Education & Professional Development Committee

Victorian Bar - Former Chair International Advocacy Training Committee

Victorian Bar - Former Chair - Health & Wellbeing Committee

Australian and New Zealand Sports Law Association

New South Wales Bar Association

National Sports Tribunal

Federal Court: Insolvency Users Group