

CURRIVULUM VITAE

Name: Matthew David Paterson

Chambers: North Quarter Lane Chambers
Level 30, Santos Place
32 Turbot Street
BRISBANE QLD 4000

Telephone: (07) 3100 2414
Email: mpaterson@qldbar.asn.au

Tertiary education: Australian National University
Graduate Diploma of Legal Practice, 2019

University of Queensland
Bachelor of Laws (Hons), 2018
Bachelor of Economics, 2018

Professional experience:

October 2023-: Barrister at Law

2022-: Sessional Academic, Queensland University of Technology

2018-: Reporter, Queensland Law Reporter (ICLRQ)

2020-2023: Lawyer/Associate (Dispute Resolution)
MinterEllison

2019-2020: Associate to the Hon Justice JA Logan RFD,
Federal Court of Australia
Supreme & National Courts of PNG

2017-2019: Associate to a Senior Member,
Administrative Appeals Tribunal

Committee memberships: Vice President, Australian Institute of Administrative Law
("AIAL"), 2022-

National Board Member, AIAL, 2020-

Secretary, AIAL Queensland Chapter, 2020-

Selected cases

As Counsel

Competition Law

- Appearing for Ergon Energy Queensland Pty Ltd in an application for judicial review of a decision by the Australian Energy Regulator to issue a notice under section 206 of the *National Energy Retail Law* (led by J McKenna KC) (reserved).
- Appearing for Stanwell Corporation Limited in an 11 week class action trial in the Federal Court defending a claim brought under s 46 of the *Competition and Consumer Act 2010* (Cth) (led by S Doyle KC, P Franco KC, M Barnes and J Menzies): *Stillwater Pastoral Co Pty Ltd v Stanwell Corp Ltd* [2024] FCA 1382.
- Appearing in a misleading or deceptive conduct case in the Federal Court regarding the purchase of a phosphate mine (led by D Butler KC).
- Acting for a witness and respondent to a subpoena in a cartel conduct case brought by the ACCC in the Federal Court (led by D Forrester).

Taxation and Revenue Law

- Acting for the taxpayer in a tax appeal in the Queensland Supreme Court regarding additional foreign acquirer duty (AFAD) (led by H Lakis).
- Acting for the Commissioner of State Revenue in a tax appeal in the Queensland Supreme Court regarding transfer duty regarding the privatisation of significant State-owned assets (led by H Lakis).
- Acting for the Commissioner of State Revenue in QCAT proceedings relating to the Homebuilder Grant (unled).

General Commercial Litigation

- Appearing in an application for the appointment of a receiver in the Supreme Court of Queensland in respect of judgment debts incurred by the Couran Cove Resort Community Body Corporate (led by D O'Brien KC).
- Acting for the defendant in District Court of Queensland proceedings alleging misuse of confidential information by a former employee (unled).
- Appearing District Court proceedings regarding the commission payable to a former contractor for an equipment hire business (led by C George).
- Acting for the Brisbane Bullets in proceedings relating to the failure of a sponsor to pay agreed sponsorship amounts (unled).
- Appearing for various petitioning creditors in winding up and bankruptcy applications.

Building and Construction

- Appearing in an application for security for costs in the Supreme Court of Queensland relating to a building dispute (unled).

- Acting for a builder in NCAT proceedings regarding residential building works (unled).
- Acting in various building adjudications in Queensland, NSW and the Northern Territory.
- Acting for a homeowner in QCAT proceedings against the QBCC relating to decisions not to issue a direction to rectify and that the homeowner is not entitled to assistance under the Queensland Home Warranty Scheme (unled).

As solicitor-advocate

- Appearing for Westpac Banking Corporation in a contested application for summary judgment to enforce a mortgage in the NSW Supreme Court before Beech-Jones CJ at Common Law (as his Honour then was): *Westpac Banking Corporation v Glynn* [2022] NSWSC 1770.
- Appearing for Westpac Banking Corporation in a contested application in the Queensland District Court for leave to issue an enforcement warrant for a tenanted property: *Westpac Banking Corporation v Adhikari* [2023] QDC 169.
- Appearing for Westpac Banking Corporation in a successful application to summarily dismiss an application for orders against the bank in family law proceedings.

As a solicitor

International Arbitration

- Acting for a global resources company in an international commercial arbitration under the SIAC Rules, involving an application for early dismissal under rule 29.1 of the SIAC Rules and defending a significant counter-claim.

General Commercial Litigation

- Acting for Salter Brothers Asset Management Pty Ltd in complex proceedings in the Federal Court of Australia involving allegations of misleading or deceptive conduct and unconscionable conduct.
- Acting for AMAL Security Services Pty Ltd in an application for directions under s 424 of the Corporations Act 2001 (Cth) relating to a proposed sale of a development site as a mortgagee in possession: *In the matter of i-Prosperity Waterside Rhodes Pty Ltd in its own capacity and as trustee for the i-Prosperity Waterside Rhodes Unit Trust* [2021] NSWSC 1065.
- Acting for the Australian Securities and Investment Commission in a confidential investigation into alleged breaches of directors' duties in a major corporate insolvency.
- Acting for the participants in the Gladstone Power Station joint venture in proceedings against CS Energy in the Queensland Court of Appeal involving the interpretation of extremely complex longstanding contracts: see *CS Energy Limited v GPS Power Pty Limited & Ors* [2021] QCA 194.
- Acting for the Victorian Department of Health in the Commission of Inquiry into Hotel Quarantine.

Publications

- More than 230 case notes published in the *Queensland Law Reporter*.
- LexisNexis Court Forms, Precedents & Pleadings Queensland, Mortgages Chapter.
- DW Marks KC and M Paterson, 'Tax Law, Public Trust and Confidence in the Australian Tax System' (2023) 109 *AIAL Forum* 61.
- M Paterson, 'Without comparison? Addy v Commissioner of Taxation [2021] HCA 34 and non-discrimination clauses in double tax agreements' [2022] *British Tax Review* 12.
- M Paterson, 'Finally laying the Siskina to rest? Broad Idea International Ltd v Convoy Collateral Ltd [2021] UKPC 24 and expanding the court's power to grant freezing injunctions' [2022] *Lloyd's Maritime and Commercial Law Quarterly* 200.
- M Paterson, 'On Dom: The Antipodean Reform of the Law of Domicile and the Case for Revisiting Domicile Law Reform in the UK' (2021) *Oxford University Commonwealth Law Journal* DOI: 10.1080/14729342.2021.1990600.
- A Vella and M Paterson, 'Don't be Too Cool to Pool: Employee Entitlement Contribution Orders and Pooling Orders (2020) 31(2) *Journal of Banking and Finance Law and Practice* 162.
- M Paterson, 'A Question of Capacity: Does the AAT Have the Power to Appoint Litigation Guardians?' (2020) 27 *Australian Journal of Administrative Law* 114, cited in:
 - Frances Simmons and Chantal Bostock, 'Administrative Review in Refugee Cases: the Impact of the Vulnerable Persons Guidelines and the Role of Legal Representatives' (2024) 47(2) *UNSW Law Journal* 448.
- M Paterson, 'Disclaimer Explainer: What are the Legal Consequences of Disclaimer of Real Property Under s 133 of the Bankruptcy Act 1966 (Cth)?' (2019) 30(4) *Journal of Banking and Finance Law and Practice* 318.
- M Paterson, 'R. (on the application of Derry) v HMRC: the first judicial steps forward from the Rewrite' [2019] 5 *British Tax Review* 599.
- M Paterson, 'Adventures on the administrative decision-making continuum: Reframing the role of the Administrative Appeals Tribunal' (2019) 96 *AIAL Forum* 65, cited in:
 - Jason Donnelly, 'The Administrative Continuum and Limits on Merits Review in Australia' (2024) 43(1) *University of Tasmania Law Review* 33;
 - *Kumar v Secretary, Department of Social Services* [2021] FCA 1662 (Logan J);
 - *DAJ22 as Litigation Representative for DAH22 v Minister for Immigration, Citizenship and Multicultural Affairs* [2023] FCA 1677 (Logan J).
- M Paterson, 'Treading a Delicate Line: Appellate Review and Misleading or Deceptive Conduct' (2019) 27 *Australian Journal of Competition and Consumer Law* 54.

- M Paterson ‘Res Judicata and the Administrative Appeals Tribunal: Re-opening the Case’ (2019) 30 Public Law Review 58, cited in:
 - *Council of the Law Society of New South Wales v Bucklet* [2023] NSWCATOD 180 (Deputy President Cole);
 - *Lee v Secretary, Department of Social Services* [2019] FCA 1855 (Rangiah J);
 - *Clinnick and ASIC* [2021] AATA 71 (Deputy President McCabe).
- A White and M Paterson, ‘Nuke Kid in Town: How Much Does the Treaty on the Prohibition of Nuclear Weapons Actually Change?’ (2017) 24 Pandora’s Box 141.