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The European Focus Group is part of the
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Inside This Issue

- 1 Message from the
Ambassador and Head of
Delegation of the European
Commission to Australia
- 1 European Focus Group: A
2006-07 Retrospective
- 4 The Inaugural Australian-
European Lawyers
Conference 2007
- 7 EFG Symposium on
Successful Mediation
- 11 Professor Nadja Alexander:
Global Trends in Mediation
- 12 Renewable Energy:
European Legal
Frameworks – Advantages
and Disadvantages
- 13 The easy way into the EU:
Denmark as the preferred
choice for Australian
investors
- 14 Contacts
- 14 And don't forget



Message from the Ambassador and Head of Delegation of the European Commission to Australia

I congratulate the Law Council of Australia for launching the European Focus Group. It is a highly commendable initiative, which seeks to promote greater understanding of the European Union in Australia, and vice versa.

Such ventures of engaging the legal profession contribute to our overall efforts in building on the already strong EU-Australia relationship – a relationship based on shared history and common values.

The European Focus Group has my full support and I wish it well in its endeavours to promote greater understanding between Australia and the European Union.

His Excellency
Mr Bruno Julien
Ambassador and Head of Delegation of the European Commission to
Australia

European Focus Group: A 2006-07 Retrospective

The European Focus Group 2006-07 Retrospective – the review of the first full year of the EFG's activities. It has been a busy year: the Group hosted several symposia, circulated a newsletter and, two issue alerts and, last but not least, hosted the 1 ½ day *Australian-European Lawyers Conference 2007* in Canberra, clearly the highlight of the past 12 months. The following is just a brief review of some of our activities in 2006-07. For more information, please visit our webpage, available at www.lca-ils.net (under Publications).

The 1 ½ day-event attracted more than 60 participants, including from overseas and interstate.

Inaugural Australian-European Lawyers Conference 2007

On 2 and 3 March 2007, the European Focus Group convened the inaugural *Australian-European Lawyers Conference 2007* in Canberra. The event coincided with the celebrations for the 50th anniversary of the Treaty of Rome, the foundation of the European Union. Thus, the event found the support of several European Embassies and 13 European Ambassadors joined us at the Conference Dinner.

The 1 ½ day-event attracted a total of more than 60 participants, including from overseas and interstate. They were addressed by His Excellency, Mr Bruno Julien, Ambassador and Head of Delegation of the European Commission to Australia, His Excellency, Mr Martin Lutz, Ambassador of the Federal Republic of Germany. Further, the Steering Committee was able to attract leading experts from Australia and Europe to address participants on a variety of topics, including public and private trade law, international commercial arbitration, taxation, mergers and renewable energies.

EFG Symposia

The EFG hosted and co-hosted further symposia, including:

- Together with the University of Melbourne, the EFG co-hosted a wine law seminar on 1 June 2006. Around 90 practitioners attended this function which included a sampling of European wines.
- On 29 June 2006, the Group hosted a symposium on mediation practice. Organised on very short notice, we were able to attract Professor Thomas Trenczek, Head of the Steinberg Institute for Mediation and Conflict Management in Hanover, Germany, to come to Canberra. Hosted in the offices of the ACT Law Society, Professor Trenczek gave an insight into characteristics of successful mediation. This event was recorded and the video is available to ILS members.
- On 26 October 2006, Henrik Norsk Hoffman, Magnusson Law, Copenhagen, Denmark, spoke in Sydney on the topic 'Gateway to Europe: why Denmark could become the preferred choice for Australian investors'. The function took place in the offices of the New South Wales Law Society in Sydney.
- On 27 October 2006, the EFG co-hosted with ANU's National Europe Centre (NEC) a symposium on the carbon emission trading schemes in Germany and the UK. The presentation was delivered by Ms Andrea Pomana, a German lawyer and expert on renewable energies. Over 40 attendees followed Andrea's presentation outlining the pros and cons of carbon trading regimes. Andrea will be back in Australia in 2008 – she received a Fellowship from the NEC to continue her studies.

Having presented a paper for the EFG, Andrea Pomana received a fellowship with the ANU's National Europe Centre.

- On 1 February 2007, the EFG and the International Trade and Business Law Focus Group hosted a symposium on the rise of international investment arbitration. The presenter was Ms Judith Levine, an Associate with the International Arbitration Group of global law firm White & Case LLP (New York). Ms Levine gave an overview of the law and practice of international investment arbitration, an area of law which is rapidly expanding due to the exponential growth in multilateral and bilateral investment treaties.

The EFG Report

The launch of the first EFG – Report was very well received amongst members of the EFG and the ILS. We received many emails, commenting on the timely choice and the high quality of the Report's content. To maintain this high quality, future issues of the EFG – Report will be further expanded. Especially, the EFG – Reports will be better aligned with the breadth and depth of topics covered by the EFG, for example, by including feature topics providing a closer look at specific topics.

The EFG Legal Issues Alert

Like the Report, the release of our first Legal Issues Alert has been received very well by our members. The topic was suggested by our member William Szekely, Sydney. In January 2007, the EFG released the second Legal Issues Alert "A New Industrial Revolution: The European Commission's Integrated Energy and Climate Change Package to cut Emissions for the 21st Century". Again, the Alert was well received and we are grateful for all the feedback we received.

What you can do

We continue to encourage all our members to look out for topics of potential interest to our Group. We have now established several ways of sharing such information, for example by way of Legal Issues Alert, symposium or even as a stream at a conference. If you have come across such a topic, please send it, together with a brief explanation, to the Administrator of the ILS, Mr Hendryk Flaegel. His contact details are on the last page of this Newsletter.

We encourage all our members to look out for topics of potential interest to our Group.

The Inaugural Australian-European Lawyers Conference 2007

On 2 and 3 March 2007, the European Focus Group convened the inaugural *Australian-European Lawyers Conference 2007* in the National Museum of Australia, Canberra's foremost, multi-award-winning tourist attraction. The event coincided with the celebrations for the 50th anniversary of the Treaty of Rome, the foundation of the European Union.

The Conference was the highlight of last year's EFG activities. 6 months of detailed planning brought together practitioners with a trans-national legal practice, corporate counsels of multi-national corporations, academics, students, politicians, government lawyers, and policy makers. Over the event's 1 ½ days, a total of more than 60 participants joined the EFG in Canberra.

The President of the Law Council of Australia, Mr Tim Bugg opened the Conference delivering the opening address. Mr Bugg then introduced the key note speakers His Excellency Mr Bruno Julien, High Commissioner of the European Union, and Mr Ian Govey, Deputy Secretary, Attorney-General's Department.

The sessions

The topics canvassed in the sessions covered a wide range of topics. The following is a brief overview of the sessions and the presenters. For more details and the presenter's papers (as available), please visit our Conference web-page, available at <http://www.lca-ils.net/ILSE/eurocon2007.htm>.

European Law - Supranational and national legal framework

Chaired by Professor Simon Bronitt, Director, National Europe Centre, Australian National University, Canberra, Professor Katrin Cutbush-Sabine, University of Technology, Sydney and Dr Ben Wellings, Deputy Director, National Europe Centre, ANU, introduced the participants to the legal and political system of the EU.

Trade relations between Australia and Europe

Economical key data were discussed by Professor Jeff Waincymer, Professor of Law, Monash University, Mr Andrew Percival, Special Counsel, Corrs Chambers Westgarth, and Mr Iain Sandford, Deputy Director, International Trade Group, Minter Ellison, who highlighted the significance of their trade relations for the EU and Australia. The session was chaired by Dr Matt Harvey, Monash Europe Centre, Monash University, Melbourne.

Mutual Recognition

This session was designed to provide participants with an update on the important issue of mutual recognition. Ms Carole Caple, Law Council of Australia, and Dr Matt Harvey, Monash University, presented the papers and the session was chaired by Ms Silke Koernicke, Senior Associate, TressCox Lawyers, Sydney.



Law Council President Mr Tim Bugg



His Excellency Mr Bruno Julien



Dr Michael Rosenthal, Judge Judith Gibson, His Excellency Mr Martin Lutz and Mrs Sonja Schweizer



Ms Anne O'Donoghue and Professor Katrin Cutbush-Sabine



The Conference Room at the National Museum in Canberra



Dr Sabine Pittrof



Mr Uwe Boettcher, Ms Saskia Hufnagel, Professor Mary Hiscock and presenters from Europe who joined the Panel via Video



Federal Senator Christine Milne

Goods, Services and Disputes - Private Trade Law and International Commercial Arbitration

Professor Doug Jones AM, Partner, Head of the Commercial Arbitration Group, Clayton Utz, introduced the participants to the increasingly important topic of investment arbitration and Professor Bruno Zeller, School of Law, Victoria University, advocated the increased use of the Convention of the International Sales of Goods (CISG) for trade partners. The session was chaired by Mr Iain Sandford, Deputy Director, International Trade Group, Minter Ellison.

Investment and Taxes

Chaired by Professor Bruno Zeller, School of Law, Victoria University, Dr Michael Rosenthal, President, Dr Volker Linden, Vice President, German - Australian - Pacific Lawyers Association, and Dr Sabine Pittrof, Partner, Heymann & Partner, Germany, presented papers on European taxation and investment issues.

Trans-national litigation and the enforcement of judgments in Australia and the EU

This session was the result of the great co-operation between the EFG, Magnusson Law and Visual Conferencing. Visual Conferencing kindly provided the technology and know-how to join Mr Anders Worsøe, Managing Partner, Magnusson Law, Copenhagen, Denmark, Mr Andrzej Tokay, Managing Partner, Magnusson Law, Warsaw, Poland, and Mr Per Magnusson, Senior Partner, Magnusson Law, Stockholm, Sweden, via a revolutionary internet-based video-conferencing facility to our panel in Canberra, comprised of Mr Uwe Boettcher, Boettcher Law, Canberra, and Ms Saskia Hufnagel, PhD candidate, National Europe Centre, ANU, expertly chaired by Professor Mary Hiscock, Emeritus Professor, Bond University, Queensland. The panel members approached the topic of this session introducing participants to the litigation and enforcement regimes of their respective jurisdictions.

Public Notaries

Professor Peter Zablud, Solicitor and Notary, Melbourne, Mr Michael Bula, Director, Michael Bula Solicitors - International Lawyers and Ms Anne-Sophie Vives, Michael Bula Solicitors - International Lawyers introduced participants to the world of Notaries and the key differences between notaries in common and civil law countries. Ms Jane Grace, Director, Laws and Bills Digest Group, Department of Parliamentary Services, Canberra, chaired the session.

Renewable Energies – European Experiences – Australian Chances?

Again, this session was made possible thanks to the generous support of Visual Conferencing. The Australian expert panel comprised Senator Christine Milne, Senator for the State of Tasmania, The Australian Greens, Mr Ken Guthrie, Sustainability Victoria, Melbourne, Mr Benjamin Hannig, Legal Counsel, Conergy, Sydney and Dr James Prest, ANU College of Law. They were joined via video conferencing by Ms Andrea Pomana, University of



His Excellency Mr Martin Lutz



Law Council President-elect
Mr Ross Ray QC

Bonn, Germany and Mr Jonas Bergquist, Magnusson Law, Stockholm, Sweden. The lively discussion that ensued was chaired by Judge Judith Gibson, New South Wales District Court, Sydney.

The Conference Dinner

The Conference Dinner took place at the historic Hyatt Hotel where the Conference participants were joined by 13 European Ambassadors. Hosted by the Law Council's President-elect, Mr Ross Ray QC, diners feasted on crisp-skinned salmon, slow-roasted lamb rack and a rich chocolate mousse. The dinner speech was delivered by His Excellency, Mr Martin Lutz, Ambassador of the Federal Republic of Germany.

Some final comments

The Conference was a true success – the many positive feedbacks we received are testimony of this. On behalf of the Organizing Committee, I would like to take this opportunity to thank all who contributed to this success, including

- all participants who joined us and participated actively in the discussions
- all presenters and chairs who dedicated so much of their time to share their experiences with the participants
- the Law Council, the ANU's NEC and Monash University's Europe Centre
- our sponsors, especially TressCox Lawyers and Visual Conferencing. Without their generous support, this event would have been impossible.

Personally, I would like to thank the members of the Organizing Committee, Judge Judith Gibson, Ms Silke Koernicke, Ms Jane Grace, Mr Matt Harvey and Professor Bruno Zeller for the enormous amount of work and dedication without which it would have been impossible to put the event together. And finally, my very special thanks to my co-convenor Dr Wolfgang Babeck for his wise counsel, and Mr Hendryk Flaegel, Administrator of the ILS, for his organizational skills. Hendryk was the heart and the soul of the long preparation lead up to the Conference.

And the future?

We have made a lot of friends during the Conference and many plans have been forged. We are looking forward to being able to organise more events for the speakers and participants who have approached us. Further, we are excited about the prospects of co-operating with the German-Australian Pacific Lawyers Association (GAPLA) in the future, including possibly co-hosting a similar conference in Germany in 2008. And the Australian-European Lawyers Conference? Due to the positive feedback we received this year, we are currently considering to establish the Conference as a bi-annual event – and it would be great if we could welcome you all again at the Australian-European Lawyers Conference 2009!

Thomas John
Barrister ACI Arb
Convener EFG

EFG Symposium on Successful Mediation

On 29 June 2006, Professor Dr. Thomas Trenzcek gave a lecture on mediation in Canberra.

The presenter



Professor Dr Thomas Trenzcek

Professor Trenzcek is Professor of Law and Head of the Steinberg Institute for Mediation and Conflict Management in Hanover, Germany. He holds a Ph.D. in Law as well as a M.A. in Social Sciences.

Professor Trenzcek is an accredited mediator and mediation trainer with substantial international experience, including in Germany, Belgium, Denmark, the Netherlands and the US. He is author of several books and numerous articles about the Juvenile Justice System, Criminal Law as well as ADR, including the recently publication "Victim-Offender-Mediation and Restorative Justice in Europe". He has organised and facilitated many mediation training courses, including at the University of Queensland and for the Department of Justice and Attorney-General of the State of Queensland.

Successful mediation

Professor Trenzcek shared with the participants what he considers to be characteristics of a successful mediation. In asking:

- what are appropriate cases
- what is a good mediation system or regime, and
- who is a good mediator,

He addressed three crucial aspects of what he considers to be important facets of a mediator.

What are appropriate cases?

Professor Trenzcek explained that, in principle, any case may be mediated, including serious criminal or domestic violence cases. The litmus test for the appropriateness of a case must be the satisfaction of the parties achieved through the process, often manifested in form of a sense of justice. He also emphasised in that mediation is a process based on agreement, that is, the parties must retain the option to say no and refer a matter to court.

Identifying as a possible obstacle ineligible parties, Professor Trenzcek elaborated on the basic principle that a party must reasonably and fully responsibly conduct the negotiation. The threshold, however, is fairly low and Professor Trenzcek argued that mediation with children as young as six years of age would be possible. As an anecdote, he told the participants that he only once did not proceed with a mediation because a party appeared to be intoxicated.

A further obstacle can be severe power imbalances; however, Professor Trenzcek made it clear that, in his opinion, it is the task of the mediator to assist the weaker party. The mediator is not neutral but caring for the parties,

In principle, any case may be mediated, including serious criminal or domestic violence cases.

remaining, however, impartial in any situation.

Ultimately it is of utmost importance, that parties must be able at all times to make their own decisions. And these decisions have to be made in the mediation. Professor Trenzcek emphasised that an appropriate case has all parties present in the course of the mediation process, especially in complex multi-party mediations.

What is a good mediation framework?

The second issue Professor Trenzcek addressed concerned the environmental and structural conditions in which the mediation takes place. Specifically he addressed three issues: access to mediation services, mandatory mediation and quality standards.

Access to mediation services

Professor Trenzcek briefly compared so-called low-threshold systems which exist in several of the Australian jurisdictions with the regime currently in place in Germany. He pointed out that while many mediation services in Australia are provided free of charge, mediation services in Germany are offered by freelance mediators. As a result, matters with a disputed amount of below \$10,000 are often more expensive to mediate than to litigate.

Mandatory mediation

Again beginning with a comparison between the situation in Australia and Germany, Professor Trenzcek pointed out that recent legislative amendments to the German Civil Procedure Code allowed, for the first time, the German "Länder" to mandate mediation processes in relation to certain petty disputes usually tried before the German Magistrates Court. He emphasised that mandated mediation appears to be a contradiction in terms as the basic premises of mediation is that the parties mediate voluntarily. And whilst acknowledging that there is no such thing as acts of total voluntarism, Professor Trenzcek concluded that mandating mediation is likely to be contra-productive to achieving good mediation outcomes.

Quality standards

Noting that there are no proper basic conditions and standards for mediators which clearly set out the rights and obligations of mediators as well as the parties, Professor Trenzcek provided a number of examples of the kind of regulation is generally required. This includes, for example, rules relating to the right to refuse to give evidence in a court, guidelines for conflict of interest situations, training standards for mediators and confidentiality rules. In relation to the latter, Professor Trenzcek emphasised that confidentiality is an important precondition for successful mediations, because:

- it enables mediation parties to feel safe and in a position to openly discuss the matter with the mediator, and

Mandated mediation is a contradiction in terms as the basic premises of mediation is that the parties mediate voluntarily.

- it protects mediators from being compelled to provide evidence in a court of law.

Professor Trenzcek explained that German mediators are currently not protected by law. Accordingly, it is crucial for German mediators to have the parties agree contractually to exclude mediators as witnesses in potential subsequent litigation.

Overall, he regretted that, whilst a number of the larger ADR providers have drafted their own mediation rules and most recently, the European Union passed a Code Of Conduct for mediators, that only Austria provided a comprehensive and set of codified mediation regulations in form of the recent Austrian Mediation Code.

Who is a good mediator?

The final question Professor Trenzcek addressed was who is a good mediator. He briefly addressed the commonly accepted perceptions of what constitutes a good mediator, including that the mediator is unbiased, holds no personal interests in the matter, does not investigate and passes no judgment. Further, that the mediator establishes the parties' stories, creates and applies an agenda with being flexible enough to change, listens and applies lateral thinking in order to find creative solutions.

Of particular interest was the involvement of lawyers in the process, either as mediator or as the representatives of the parties. Stressing that the parties own of the conflict, not the lawyers representing them, Professor Trenzcek questioned whether the focus on the parties' interests remained paramount where lawyers get involved in the mediation process. He also questioned whether the involvement of lawyers will always lead to the establishment of the preferable collaborative negotiation environment.

From a mediators point of view, Professor Trenzcek emphasised that the mediator does not have to be a legal expert in every area of the dispute but rather needs a very good understanding of the mediation process. Importantly, according to Professor Trenzcek, even legal experts should not give legal advice if they act as mediators as this can create the perception of bias.

Overall, a good mediator shows a good knowledge of perception and cognition, about conflict and communication, has excellent "soft skills" and, last but not least, a good sense of humor. The parties to a mediation need the feeling that they are listened to be listened to. The focus is clearly with the parties and the mediator must be able to address the feelings and emotions of the parties in order to increase the success of the outcome. In addition, Professor Trenzcek advocated that a mediator must be able to develop and apply a structured process, remaining, however, flexible enough to meet the parties' needs in any given circumstance. Required is what he terms "mediatorial intelligence": that is, the mediator has a specific sense for the needs and feelings of the parties, the underlying issues, the problems and likely solutions. A good mediator is patient, does not seek to

"Mediatorial intelligence": the mediator's sense for the needs and feelings of the parties, the underlying issues, the problems and likely solutions.

quick results and does not know the matter better than the parties. Finally, mediation occurs in the context of social communication and a good mediator is shaped by training, practice and application, at reflection and further training.

The nine mediator sicknesses

Professor Trenzcek concluded his presentation by outlining what he perceives to be the "nine mediator sicknesses", although he emphasised that the list is not final or complete. The mediator sicknesses include that the mediator:

- 1 does not take sufficient time and space for the expiration of the issues
- 2 fails to appropriately acknowledge the emotions of the parties
- 3 seeks to find the objective truth rather than working with the party's individual stories
- 4 investigates instead of identifying and reflecting on the differences of the stories
- 5 thinks that his views are objective
- 6 likes his own commonsense solution
- 7 takes the responsibility to resolve the dispute
- 8 answers disturbances in the mediation process
- 9 fails to seek mutual consensus.

Professor Trenzcek's lecture has been video-recorded and his presentation is available to members as a DVD. Please contact the Administrator of the ILS for further details.

These nine "sicknesses" or propositions sparked several questions in the ensuing debate following the presentation and Professor Trenzcek elaborated further on mediation issues as diverse as European mediation practice and victim-offender mediation in relation to serious crime.

The 1:30 h presentation of Professor Trenzcek provided the participants of this symposium with a fascinating comparative insight into the thoughts of an experienced mediation traveller.

The EFG is grateful to the ACT Law Society which kindly provided their premises to host this event.

Professor Nadja Alexander: Global Trends in Mediation



This new book on mediation by Professor Nadja Alexander, was released in October 2006.

Professor Alexander is a leading Australian mediation and alternative dispute resolution expert. She is the Director of ADR und Practice at the Australian Centre for Peace and Conflict Studies, UQ, Brisbane and is currently undertaking a Humboldt Research Fellowship in Berlin. She is also a member of the Law Council's Alternative Dispute Resolution Committee. With extensive experience as a mediator and trainer in Australia, Europe, the US and Asia, Professor Alexander is a member of the European Focus Group's Steering Committee .

The book's history

This is the book's second edition. In its first edition, *Global Trends in Mediation* was the first book to focus on mediation from a comparative perspective. It reached far beyond the all-too-familiar Anglo-American view of ADR and quickly became a standard work for practical use among alternative dispute resolution practitioners worldwide.

The second edition has not only been updated throughout, but Professor Alexander has added two new jurisdictions (France and Quebec) and a useful comparative table summarising the salient points from each of the 14 jurisdictional chapters.

The jurisdictional Chapters

The book covers a broad range of jurisdictions, covering Common Law as well as Civil Law countries. The European countries covered by this book include Austria, Denmark, England and Wales, France, Germany, Italy, The Netherlands, Scotland and Switzerland. In addition, Professor Alexander's book canvasses South Africa, The United States, Canada and Quebec.

Each jurisdictional chapter, contributed by senior dispute resolution academics or practitioners with vast knowledge and experience of dispute resolution developments in their countries and abroad, addresses critical structural and process issues in alternative dispute resolution. Specifically, Professor Alexander's book delves into issues as diverse as:

- the institutionalisation of mediation
- mediation case law and legislation,
- the range and nature of disputes where mediation is utilised
- court-related mediation
- mediation practice standards, education, training and accreditation of mediators

The European countries covered by this book include Austria, Denmark, England and Wales, France, Germany, Italy, The Netherlands, Scotland and Switzerland.

- the role of lawyers in mediation, but also
- online dispute resolution and future trends in mediation.

The Chapters are tied together by a comprehensive introductory chapter which establishes the comparative framework for the international analysis. It synthesises the main themes of the individual jurisdictional chapters and analyses global and systemic trends in mediation.

In his foreword to Professor Alexander's book, Professor Thomas J. Stipanowich, Academic Director of the Straus Institute for Dispute Resolution, Pepperdine University, USA, comments:

The publication of the second edition of Global Trends in Mediation provides an opportunity to reflect on the fascinating variety of developments that fall under the broad rubric of mediation. It also offers us a vantage point from which to consider the many ways in which the character of mediation – and its use or non-use – are shaped by the cultural, legal, transactional or relational context within which it evolves. Finally it reinforces the notion that, despite all of these differences, we are attempting to grapple with many of the same kinds of issues of policy and practice whether we live and practice in Durban, Dortmund or Denver. Ultimately the most compelling aspect of this book may be its utility as a vehicle for lateral thinking – that is, sharing and learning from our respective experiences and approaches.

The book reinforces the notion that, despite all of these differences, we are attempting to grapple with many of the same kinds of issues of policy and practice whether we live and practice in Durban, Dortmund or Denver.

Renewable Energy: European Legal Frameworks – Advantages and Disadvantages

The symposium, co-hosted by the European Focus Group and the National Europe Centre at the ANU, provided an inside into established legal frameworks surrounding renewable energy in Europe.

Andrea Pomana, a German lawyer and PhD candidate from the University of Bonn, who prepared her thesis on this topic, explained how the European Member States have implemented different legal schemes to promote the development of renewable energies and to increase energy diversity and reduce carbon emissions.

Addressing almost forty attendees at the National Europe Centre, Andrea canvassed the most prominent frameworks, that is the feed-in tariff system, chosen for example by the German government, and a combination of quota and certificate mechanism as adopted by the United Kingdom. As these systems have raised major concerns regarding competition, legal certainty for generators and effective development of technologies, Andrea explained these concerns in much needed detail. She emphasised that both the feed-in tariff and the quota/certificate frameworks reflect a governments' political decision at the crossroads between more competition or more sustainability.

A well-conceived legal regime for renewable energy production is healthy for the economy

Of particular interest to the attendees was Andrea's analysis of the two systems economical and environmental advantages and disadvantages and her argument that business parameters outside the schemes are always crucial to the deployment of renewable energies

This topic proofed to become one of the most pertinent issues of 2007 and Andrea joined us again via video-link at the Australian-European Lawyers Conference 2007. An edited version of Andrea's presentation can be downloaded as a .pdf-file from www.lca-ils.net. The EFG plans to organise another symposium on renewable energies in late 2007 or early 2008.

The easy way into the EU: Denmark as the preferred choice for Australian investors

Do you need a company in Europe within 30 minutes?

Henrik Norsk Hoffman answered this question by suggesting convincingly for investors to look no further then Denmark. Working for the international European Law firm Magnusson Law, Henrik is an admitted Danish attorney and holds LLM degrees from the Universities of Copenhagen and Queensland.

After a brief introduction, Henrik provided the attendees with an overview of the legal issues pertinent to the establishment of a company. He canvassed the tax and corporate law regimes of the Scandinavian countries, emphasising that these countries provide excellent opportunities for investors and can serve as an ideal basis for the European branch of overseas companies and investors. A detailed analysis of the legal arrangements and, in particular, the essential relationship between the attorney and the client on the one hand, and between the attorney and the Danish authorities on the other, completed this first part. Henrik then explained in detail the beneficial tax regime conducive to establishing an overseas subsidiary in Denmark and therewith the EU.

A European company
and access to the EU in
less then 30 minutes –
possible in Denmark

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The European Focus Group is based on the strength and creativity of its membership.

Since its inception, the Group has been able to attract a wide variety of practitioners and scholars with an interest in Europe.

We welcome legal practitioners who are enthusiastic about deepening existing and developing new ties with the legal professions in the European Union.

Any interest lawyer who shares our interest in the European Union, its respective member countries, their jurisdictions and laws should contact the European Focus Group by contacting the Group's administrator using the email address provided on the left.

And don't forget.....

Because there is a myriad of web-pages out there, good and bad ones, the Group is happy to receive suggestions from the readers of this Newsletter which links we should add to this column.

Important links are:

The European Constitution

http://europa.eu.int/constitution/index_en.htm (English)

European Court of Justice (decisions, publications etc)

www.curia.eu.int

European Court of Human Rights (decisions, publications etc)

<http://www.echr.coe.int/echr>

European Parliament

<http://www.europarl.eu.int>

Delegation of the European Commission to Australia and New Zealand

<http://www.delaus.cec.eu.int>