

Property Law

Thursday 15 August 2024

Session 6 – 4:00pm - 5:00pm

Unfairness in property transactions under common law and legislation

In this session Tony Cahill will discuss the role of vitiating factors in conveyancing transactions, with particular reference to sales and purchases. The presentation will consider the limitations of the traditional categories of matters affecting consent (mistake, misrepresentation, duress and undue influence); the evolution of principles of unconscionability under the 'unwritten law'; and the operation of the *Contracts Review Act 1980* (NSW), together with the scope of unconscionability under the Australian Consumer Law (ACL). The recent amendments to the unfair contracts terms provisions of the ACL will also be addressed.

Meet the speaker

Tony Cahill, Author and Presenter

Tony Cahill was admitted to practice in 1981. After 13 years with a medium-sized city law firm, he commenced practice on his own account at Chatswood in Sydney. In July 2002, Tony moved from private practice to concentrate primarily on legal education and writing. He is a member of the Property Law and Environmental Planning and Development Committees of the Law Society of NSW. Tony has also co-authored several publications and has been a part-time lecturer at various institutions, most recently the University of Sydney Law Extension Committee in conveyancing.