

Business Law

Friday 16 August 2024

Session 7 – 8:30am - 9:30am

Commercial property transactions involving different types of entities

This session will outline the main entities involved in commercial property transactions. It will contrast property transactions involving the sale of shares in the selling entity with typical real asset sales. Issues affecting certain types of entities will be discussed, such as Foreign Investment Review Board considerations; GST, including applicability or exemptions available; limitations on tax concessions for certain trusts and companies; and foreign surcharge duty/land tax considerations, particularly if the discretionary trust structure is used. Discussion will also include SMSFs, exemptions from the usual vendor warranties under the *Conveyancing Act 1919* for certain types of sellers/contracts, application of vendor warranties under that Act for transactions involving lessees under long-term leases, and recent case law.

Meet the speaker

Amy Mourd, Principal, Mourd Evans Lawyers

Amy Mourd specialises in real estate law and has more than 20 years of experience working successfully in this area across a broad range of matters, including the acquisition, disposal, leasing and development of real assets; the creation, variation and extinguishment of property dealings; and property related disputes. In her real estate work, Amy acts for a diverse range of clients, including developers, banks, liquidators, administrators, receivers, and private owners. Amy became an Accredited Specialist in Property Law in 2021. She also has extensive experience acting on a range of commercial transactions, including the sale and purchase of a variety of businesses, with particular attention to the childcare industry. Amy regularly advises on the establishment, sale and purchase of childcare centres and leasing agreements relating to greenfield childcare projects.