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BARRISTERS’ WORK AS A GST-FREE EXPORT

Mark Brabazon SC

This article considers GST classification of barristers’ services when conventionally retained by Australian solicitors to act for a non-resident client that is not “in Australia”. It argues that the barrister’s supply is made and provided to the client rather than the solicitor, whether or not the solicitor is personally liable for counsel’s fees, and can qualify as a GST-free export on the same basis as a supply by a solicitor. This is contrary to <i>Levy v Bergseng</i> (2008) 72 NSWLR 178, but consistent with the approach taken by the Commissioner.	433
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ABOLISHING CRIMINAL LIBEL

G S McBain

This article argues for the abolition of criminal libel in England. It was submitted for publication prior to the Coroners and Justice Act 2009 which abolished this offence. However, it is published in this journal since it contains an exhaustive analysis of the English caselaw, as well as the rationale for abolition, which will be of considerable interest to the many countries (including Commonwealth countries) which still retain this offence. 439

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