THE QUEENSLAND LAWYER

Volume 24, Number 2

October 2003

INSURANCE LAW

Life insurance: Misrepresentation, non-disclosure, Insurance Contracts Act 1984 (Cth), s 29(3)	69
TORT LAW	
Personal privacy: Boldly going where no Australian court has gone before - Part I	72
FAMILY LAW	
Sperm donors beware: Donation "in the usual way" will render you liable to pay child support	76
CONVEYANCING AND PROPERTY LAW	
Buyer's waiver of a special condition	79

ARTICLE

Volunteer protection in Queensland – Prof Myles McGregor-Lowndes

A minor element of current tort law involves the protection of volunteers from personal civil liability. Queensland has enacted the *Civil Liability Act 2003* protecting volunteers (including office holders) of community organisations from personal civil liability. This article examines the implications of the Queensland provisions and identifies issues for further consideration. The article first places volunteer protection in a policy context of volunteering statements and then moves to examine the immediate civil liability issues in Queensland. A detailed examination of the legislation is then undertaken with emphasis on the issues community organisations and volunteers face in taking advantage of the provisions.

81

REPORTS OF THE DISTRICT COURT OF QUEENSLAND

Griffiths	Powerline	Maintenance	Pty	Ltd	v	IDS	Consulting	Services	Pty	Ltd	
(Contract.	s)						_			•••••	97
Hignett v Health Promotions International Pty Ltd (Criminal Law, Health Law)											101

Guidelines for Contributors

Contributions to the journal are welcome and should be sent to the Production Editor, *The Queensland Lawyer*, Lawbook Co, PO Box 3502, Rozelle, NSW 2039 (mail), 100 Harris St, Pyrmont, NSW 2009 (courier) or by email to qldlawyer@thomson.com.au, for forwarding to the Editor.

Manuscript

- Submission of a manuscript will be held to imply that it is original, unpublished work and has not been submitted for publication elsewhere.
- Personal details (name, qualifications, position) for publication and a delivery address, email address and phone number must be included with the manuscript.
- Manuscript must be submitted electronically via email or on disk in Microsoft Word format.
- Manuscript should not exceed 10,000 words for articles or 1,500-2,000 words for section commentary or book reviews.
- An abstract of 100-150 words is to be submitted with article manuscripts.
- Proof pages will be sent to contributors. Authors are responsible for the accuracy of case names, citations and other references. Excessive changes to the text cannot be accommodated.
- Contributors of articles receive 25 free offprints of their article and a copy of the part in which the article is published. Other contributors receive a copy of the part to which they have contributed.

Style

- 1. Levels of headings should be clearly indicated (no more than four levels).
- 2. Cases
- Case citation follows case name. Where a case is cited in the text, the citation should follow immediately rather than as a footnote.
- Give at least two and preferably all available citations, the first listed being the authorised reference.
- Australian citations should appear in the following order: authorised series; Lawbook Co/ATP series; other company series (ie, CCH, Butterworths); media neutral citation.
- "At" references should only refer to the best available citation, eg: *Mabo v Queensland [No 2]* (1992) 175 CLR 1 at 34; 66 ALJR 408; 107 ALR 1.
- Where only a media neutral citation is available, "at" references should be to paragraph, eg: YG & GG v Minister for Community Services [2002] NSWCA 247 at [19].
- For international cases best references only should be included.
- 3. Legislation should be cited as follows:
 - Trade Practices Act 1974 (Cth), s 51AC. The full citation should be repeated in footnotes.
- 4. Books:
- Books should be cited as follows: Macken JJ, O'Grady P, Sappideen C and Warburton G, *The Law of Employment* (5th ed, Lawbook Co., 2002) p 55.
 - In footnotes do not use ibid or op cit. The following style is preferred:
 - 4. Austin RP, "Constructive Trusts" in Finn PD (ed), Essays in Equity (Law Book Co, 1985).
- 5. Austin, n 4, p 56.

5. Journals

- Journal articles should be cited as follows (wherever possible use official abbreviations not the full name for journal titles): Odgers S, "Police Interrogation: A Decade of Legal Development" (1990) 14 Crim LJ 220.
 - In footnotes do not use ibid or op cit. The following style is preferred:
 - 6. Sheehy EA, Stubbs J and Tolmie J, "Defending Battered Women on Trial: The Battered Woman Syndrome and its Limitations" (1992) 16 Crim LJ 220.
 - 7. Sheehy et al, n 6 at 221.
- 6. Internet citations
- Cite internet publication as for any other document, with URL underlined in angle brackets, and date the document was viewed, eg: Ricketson S, *The Law of Intellectual Property: Copyright, Designs and Confidential Information* (Lawbook Co, subscription service) at [16.340], <u>http://subscriber.lawbookco.com.au</u> viewed 25 June 2002.

For further information visit the Lawbook Co. website at <u>http://www.lawbookco.com.au</u> or contact the Production Editor.

SUBSCRIPTION INFORMATION

The Queensland Lawyer comprises six parts a year.

Customer Service and sales inquiries: Tel: 1800 650 522 Fax: 61 2 8587 7200 Web: www.lawbookco.com.au Email: service@thomson.com.au

> Editorial inquiries: Tel: (02) 8587 7000

HEAD OFFICE 100 Harris Street PYRMONT NSW 2009 Tel: (02) 8587 7000 Fax: (02) 8587 7100



© Thomson Legal & Regulatory Limited ABN 64 058 914 668 trading as Lawbook Co.

ISSN 0312-1658

Typeset by Lawbook Co, Pyrmont, NSW Printed by Ligare Pty Ltd, Riverwood, NSW

C LAWBOOK CO.