

# THE QUEENSLAND LAWYER

Volume 26, Number 5

April 2006

## CONVEYANCING AND PROPERTY LAW

<b>Amendments to the Land Title Act 1994 (Qld)</b> .....	237
<b>A brief overview</b> .....	237
<b>Steps to combat mortgage fraud</b> .....	238
<b>Could the Land Title Act 1994 (Qld) be further amended to better protect unregistered interests?</b> .....	240

## CRIMINAL LAW

<b>Appropriate allowances for guilty pleas</b> .....	244
<b>Proving photographs</b> .....	245

## FAMILY LAW

<b>Lockhart review into human cloning and research involving human embryos – closing the gap?</b> .....	247
---	-----

## TORT LAW

<b>Scope of duty owed by a vendor</b> .....	251
<b>Occupiers and obvious risk</b> .....	253

## ARTICLE

### **Workplace relations reform: Summary and constitutionality – *Anthony Gray***

The federal government has recently introduced substantial changes to the industrial relations system in Australia. The changes are controversial, with a High Court challenge to the validity of the new regime imminent. The changes rely largely on the corporations power for their validity. These changes dovetail with the move to incorporated legal practices in Queensland in 2006. Those firms who wish to incorporate will be able to take advantage of the new regime in engaging staff. The article outlines the essential elements of the new regime, and considers whether the High Court challenge to their validity is likely to succeed .....

257

BOOK REVIEWS .....	268
--------------------	-----

#### REPORTS OF THE DISTRICT COURT OF QUEENSLAND

<b>Butterworth v Geddes</b> ( <i>Criminal law</i> ).....	274
<b>Morrow v Queensland Building Services Authority</b> ( <i>Professions and trades</i> ).....	280
<b>Todd v Commissioner of the Police Services</b> ( <i>Traffic law</i> ).....	286

# Guidelines for Contributors

## Submission and licence agreement instructions

All contributions to the journal are welcome and should be sent, with a signed licence agreement, 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](mailto:qldlawyer@thomson.com.au), for forwarding to the Editor. Licence agreements can be downloaded via the internet at [http://www.thomson.com.au/support/as\\_contributors.asp](http://www.thomson.com.au/support/as_contributors.asp). If you submit your contribution via email, please confirm that you have printed, signed and mailed the licence agreement to the attention of the Production Editor at the mailing address noted above.

## Letters to the Editor

By submitting a letter to the editor of this journal for publication, you agree that Thomson Legal & Regulatory Limited, trading as Lawbook Co., may edit and has the right to, and may license third parties to, reproduce in electronic form and communicate the letter.

## Manuscript

- Manuscript must be original, unpublished work that 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.
- This Journal complies with DEST Specification 4.3.4 for the peer review process. Each article is, prior to publication, reviewed in its entirety by a qualified expert who is independent of the author.

## 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 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 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 should be cited as follows:

Odgers S, "Police Interrogation: A Decade of Legal Development" (1990) 14 Crim LJ 220.

Wherever possible use official abbreviations not the full name for journal titles.

- 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 references should be cited as follows:

Ricketson S, *The Law of Intellectual Property: Copyright, Designs and Confidential Information* (Lawbook Co., subscription service) at [16.340], <http://subscriber.lawbookco.com.au> viewed 25 June 2002. Underline the URL and include the date the document was viewed.

For further information visit <http://www.thomson.com.au/legal/> or contact the Production Editor.

## SUBSCRIPTION INFORMATION

*The Queensland Lawyer* comprises six parts a year.

Customer Service and sales inquiries:

**Tel: 1300 304 195**

**Fax: 1300 304 196**

**Web:** [http://www.thomson.com.au/legal/p\\_index.asp](http://www.thomson.com.au/legal/p_index.asp)

**Email:** [LRA.Service@thomson.com](mailto:LRA.Service@thomson.com)

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