

Allan Myers AC KC



Practice Overview

Allan Myers AC KC specialises in commercial law, constitutional and administrative law, corporations law, equity and trusts, petroleum law, property law, taxation law and trade practices law, and has appeared as counsel and arbitrator in many large and complex matters in courts in Australia and elsewhere. He joined Keating Chambers as an international member in August 2017.

Allan has appeared in many hundreds of appeals in all jurisdictions in Australia and has appeared as Counsel in numerous arbitrations in Australia and overseas. Some matters in which he has appeared in the High Court of Australia are as follows:

- *Bywater Investments Limited & Ors v Commissioner of Taxation; Hua Wang Bank Berhad v Commissioner of Taxation* [2016] HCA 45 – November 2016 (Income Tax)
- *Cunningham, Lamb, Moore and Cohen v Commonwealth of Australia and Remuneration Tribunal established by the Remuneration Tribunal Act 1973 (Cth.)* [2016] HCA 39 – October 2016 (Constitutional Law)
- *Mount Bruce Mining Pty Limited v Wright Prospecting Pty Limited & Anor* [2015] HCA 37 – August 2015 (Mining, royalties)
- *Atco Controls Pty Ltd (in liquidation) v Stewart* (2014) 252 CLR 307 and 331 (Liquidators, Security Law)
- *Kakavas v. Crown Melbourne Limited & Ors* (2013) HCA 25 (Gambling, casinos)
- *Castel Electronics Pty Ltd v. TCL Air Conditioner (Zhongshan) Co Ltd* (2012) FCA 1214 (Arbitration, Constitutional Law)
- *John Andrew Henry Forrest v. Australian Securities and Investments Commission & Anor, Fortescue Metals Group Ltd v. Australian Securities and Investments Commission & Anor* (2012) HCA 39 (Corporation and Criminal Law)
- *British American Tobacco Australia Limited v. Secretary, Department of Health and Ageing* (2011) FCAFC 107 (Constitutional Law)

Allan was also leading counsel for the State of Victoria in the Bushfires Royal Commission (announced after the fires in February 2009 and commenced in April 2009).

In the past 20 years, he has been an arbitrator or counsel in many international arbitrations concerning the construction of pipelines, road and rail infrastructure, petroleum facilities, mines and associated facilities. In the past four years he has been an arbitrator (including as chair of the arbitral tribunal) in substantial international arbitrations concerning the construction of mining and petroleum infrastructure and pipelines in each of which the amounts in dispute were in excess of \$300m and, in one matter, in excess of \$2bn (in which he is chair of the arbitral tribunal). His recent instructions also include one as the sole arbitrator in an arbitration concerning the respective entitlements to the Hides oil and gas field in Papua New Guinea and several other gas price arbitrations.

In addition to his practice as a barrister, Allan has taught in undergraduate and graduate law courses in Australia (University of Melbourne), Canada (Osgoode Hall Law School, Toronto) and England (Oxford University) in the areas of equity, property law, taxation, bankruptcy and securities law. He has written many articles and delivered many papers in various areas of law and was assistant editor of the Australian Taxation Law Review for over ten years.

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