

Australian Insurance Law: A First Reference



G Pynt

October 2011

LexisNexis

RRP \$120.00

Insurance law is an area of law which all practitioners would do well to have at least a rudimentary understanding of given its relevance in the modern commercial world.

This text is a useful quick reference which brokers, case managers and practitioners can turn to for an informed discussion and analysis of basic insurance law principles. Although some topics are not dealt with in-depth the text does not hold itself out to be a comprehensive volume, and it does not detract from the quality of the discussion.

The author has covered a broad range of topics. The introductory chapters provide a basic framework of what insurance is and how it operates to give some context to the laws that underpin it. After that preface, additional distinct areas are elaborated upon, enhancing the readers understanding of insurance law generally. This most recent edition has also included a chapter dedicated to s54 of the *Insurance Contracts Act 1984* (Cth) which is a welcome addition.

The book is well referenced with principles extrapolated upon by reference to the statutory regime and common law interpretation. Those concepts are then further discussed and summarised by the author for the readers' benefit.

For the insurance litigator there are many useful chapters including, dual insurance, contribution, issues relating to civil litigation and the duties of a lawyer retained by an insurance company. Case managers and brokers would benefit from perusing the chapters covering pre-contractual disclosure and other related topics.

Although a good introductory text, and certainly worth a read, it may not satisfy the requirements of those requiring a more detailed and practical text in this area.

Brendan Jones, Moray & Agnew Lawyers

The Constitution of the Commonwealth of Australia Annotated



G Moens and
J Trone

November 2011

LexisNexis

RRP \$159.00

Lumb & Moens' annotated Australian Constitution is an invaluable text for any major law firm, government department or agency.

There has been a rise in interest in the constitutionality of government action. Claims are made about minority government, the carbon tax, our electoral laws, the validity of government appropriations and appointments, and the qualifications of members of parliament. This book, organised with commentary around each section of the Constitution, is a terrific starting (and often ending) point for those seeking the fundamentals of a particular provision. Its strengths lie in the authors' pithy summaries of each provision, its concision (at less than 600 pages, it is a model of brevity for a constitutional law textbook) and in the cornucopia of further reading to which it leads its readers.

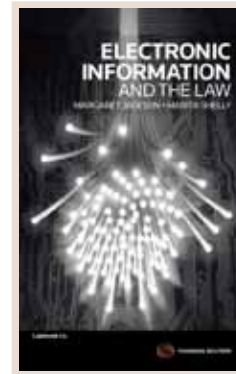
There is also extensive discussion of constitutional conventions; although not comprising part of the text of the Constitution, these are nonetheless important elements of our constitutional arrangements.

Lumb & Moens have prepared a new edition every few years, and this eighth edition is current to September 2011. It covers important recent cases on appropriations (*Pape*), electoral law (*Roach and Rowe*) and grants to the States (*ICM Agriculture*). It comes at a time which is ripe with possibilities for constitutional reform, with proposals for Northern Territory statehood, constitutional recognition of local government, and removal (or reform) of the so-called "races power" (section 51(xxvi)).

This book is a strongly recommended resource for students, practitioners, public servants and citizens dealing with the Australian Constitution.

John Kalokerinos, ANPHA

Electronic Information and The Law



M Jackson and
M Shelly

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Thomson Reuters

RRP \$169.95

In an electronic age, there are many benefits to new technology, but with them come additional risks. The widespread popularity of social media, networking websites and internet use generally has resulted in the increased availability of personal information online and the ability to duplicate and distribute information. This has ramifications in areas such as employment, financial security, privacy, identity theft and breach of copyright legislation.

It is particularly important for legal practitioners to understand and appreciate the risks and hazards found in this constantly evolving area.

Electronic Information and the Law provides readers with guidance and an introduction to a range of legal issues. A broad number of topics are covered, including online contracts, electronic banking, copyright, social networking and media, privacy and discovery and retention of electronic information.

The book is written in a straight forward manner, making it effortless for those not technologically inclined to understand and navigate. It contains a brief description of different forms of electronic information, particular difficulties which arise with respect to them, and an analysis of recent case law involving special legal problems which have occurred globally.

The book analyses approaches taken by various countries to tackle problems which have arisen on the international stage and Australia's comparable position. The text also discusses the various rules and codes of conduct surrounding the obtaining, retaining and distribution of electronic information.

Electronic Information and the Law provides an excellent overview and quick reference guide.

Marco Nesbeth, Moray & Agnew Lawyers