

## New South Wales

1993 has already been a busy year for the Society. To date we have had four seminars. Our February meeting discussed patenting software, the theme of this Journal. We heard from David Catterns, barrister and Sharyn Ch'ang, inhouse counsel for IBM. Articles from each of our monthly meetings while not extracted in this publication appear in the Proceedings of the Society published annually.

Then in March the Society held a meeting on Issues in Government Contracting. The speakers were Michael Pym from Oracle and Paul Imbree from the NSW Government Solicitor's Office. Our April meeting looked at product liability with Philip Argy from Mallesons Stephen Jaques and a speaker from the Trade Practices Commission. The introduction of Part VA of the Trade Practices Act 1974 was discussed particularly in relation to the liability of manufacturers and importers for defective technology based products. We heard from the TPC about the enforcement of these provisions and the common difficulties encountered by the Commission in this area. Our May meeting focussed on 'Computer Generated Works: Who Owns What'. We heard from Guy Galipienzo, Managing Director of CABS on the amount of 'authoring' performed by the computer and from Angela Brown, Barrister on the legal issues that arise and how other countries have or have not dealt with them. The calendar enclosed in this issue of the Journal outlines the other seminars that have been arranged for the remainder of the year.

One major issue being considered by the Committee in 1993 is whether or not the NSW Society should incorporate. Our enquiries have revealed that both the Queens-

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land and Victorian Societies are incorporated pursuant to the Associations Incorporation Act. We are still making enquiries of the Western & New Zealand Societies. Two members of the Committee will present their recommendations to the full Committee at the May meeting so we will keep you informed.

Finally, if you have any articles, book reviews, comments or in fact anything to contribute to the Journal, please send them to Virginia Gore, c/- Blake Dawson Waldron, 225 George St, Sydney 2000, DX 355. The deadline for the next edition is 16 June 1993.

*Report on the Cocktail Party held by the New South Wales Society for Computers & the Law to Celebrate the 1993 Biennial Computer Law Conference*

The cocktail party was well attended by conference delegates and members of the Society, with approximately 110 guests attending.

The cocktail party was a valuable opportunity for delegates and members to discuss the very many interesting issues raised by the conference agenda and to farewell each other.

Connie Carnabuci delivered the following welcome:

'Good evening ladies and gentlemen, I am addressing you this evening on

behalf of Elizabeth Broderick, the President of our Society, who has recently been in India on business and is currently in Melbourne on her way home.

The Society is very pleased to be able to host this cocktail party this evening for the purpose of congratulating and celebrating with delegates and conference organisers the outstanding success of this, the 1993 Biennial Computer Law Conference. This is the second such conference which has been held by the Computer Law Association and the International Bar Association (Committee R), the first having been held in 1991 at Newport Beach California.

As a preliminary matter, the Society would like to congratulate the conference organising committee on the outstanding and impressive list of speakers and topics which they have arranged for this conference. The Committee are, in alphabetical order, Philip Argy, Sharyn Ch'ang, Fred Chilton, Maurice Gonsalves, Kim Jenkins, Peter Knight, Peter Leonard and Ted Pretty.

The Society would also like to congratulate the Computer Law Association and the IBA (Committee R) on their foresight for having convened the conference in Sydney. We are very proud of our City and I am sure you will agree it has provided a very beautiful and graceful backdrop

for the conference. Nonetheless the stunning display by the QE2 was arranged for the purposes of our cocktail party this afternoon. Further, I am sure the conference has been more than beneficial to our country's unfortunate balance of payments position.

The Society would also like to congratulate some people who have been working tirelessly behind the scenes to ensure that the right people, the right papers and the right equipment are in the right place at the right time. Those people are Barbara Fieser, Leanne Hawkins and Robyn Lowther.

Finally, the Society would like to congratulate the Computer Law Association and the International Bar Association (Committee R) in their visionary choice of the theme of "Pacific Rim". The prominence they have given to the Pacific Rim demonstrates the importance of that region, not only as a source of emerging technologies, but as a region of immense cultural diversity within which a jurisprudential regime is being developed to accommodate the emerging technologies.

Finally, on behalf of the Society, I would like to thank you all for taking the time to attend the cocktail party this evening. I know that it has been a very hectic couple of days for delegates and organisers. I hope that you enjoy the Society's hospitality this evening.'

### New Zealand


#### Report of Annual General Meeting on 16 March, 1993

1. The annual general meeting of the New Zealand Society for Computers & The Law Inc was held on 16 March 1993, at the offices of Rudd Watts & Stone in Wellington. The meeting followed a short seminar presentation on the Consumer Guarantees Bill, presented by Steven Revill (partner, Bell Gully Buddle Weir and Treasurer of the Society).
2. The President of the Society, Gavin Adlam, opened the meeting with a welcome to those members present. After dealing with apologies and the minutes of the previous meeting, he presented the President's Report which summarised the activities of the Society during the year and identified some of the projects likely to engage the incoming committee.
3. Steven Revill, the Treasurer, then presented the Financial Statements and Treasurer's Report. Unfortunately, there had been a hold up in finalising the audit. The Financial Statements were therefore adopted subject to any alteration which became necessary in finalising the audit.
4. Elections were held for the members of the new committee. In each case, there were no more nominations than the number of vacancies, so it was not necessary to conduct a ballot. Mun Chin indicated that he would be asking the new committee to consider possibly co-opting further members, as several people (including some not able to be present) had indicated a willingness to help the

Society. The new committee is:

Gavin Adlam (President)  
 John Terry (Vice President)  
 Steven Revill (Treasurer)  
 Anthony Wong (Past President)  
 Richard Osborne (Auckland Representative)  
 David Rowe (Christchurch Representative)

Garth Lucas (Dunedin Representative)  
 Ian Perry, Ross Johnson and Paul Perniskie.

5. Deloitte Ross Tohmatsu was appointed auditor for a further year, and the outgoing Committee expressed thanks for their assistance in past years. As there was no general business, the meeting was closed shortly after 2.00 pm. 

#### New Zealand Society - 1993 Committee

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<i>Other Committee Members</i>	Ian Perry Ross Johnson Paul Perniskie	

## Western Australia

### *Making the Most of Computers in Small Practice*

On March 9, about 35 Lawyers attended a seminar on 'Making the Most of Computers in Small Practice'. The Lawyers were all from small practices in Western Australia. John Picton-Warlow and Michael Paterson, partners at Picton-Warlow & Co and Stuart MacDonald, a partner at MacDonald Rudder gave demonstrations of how they use computers in their practices to:

- (a) streamline the production of documents such as letters, Land Titles Office forms, leases and Australian Securities Commission forms;

- (b) keep electronic diaries and client information and to communicate via E-mail;
- (c) access electronic legal resources on CDs and in external databases;
- (d) keep accounts and billing information; and
- (e) scan documents instead of copy-typing.

Personnel from the Land Titles Office and State Print gave demonstration of the on-line access to the external Land Titles Office and the WA Statutes and Hansard databases.

### *Coming Events*

The panel discussion of current legal issues affecting the computer in-

dustry has been postponed until June.

The Law Society is putting together an invitation for expressions of interest in setting up an electronic mail network for the Law Society and its members. A seminar on the results of that invitation will be held after the expressions of interest have been received.

The seminar topic for the WASCAL AGM to be held in August or September is likely to be about planning computer systems for law firms so as to take advantage of up and coming technologies. ~~2~~

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## Queensland

The Queensland Society has a number of things happening in the coming months:

1. A Public Seminar to be held on 28 April, 1993 on the topic of "Incentives for the Computing Industry".

The Seminar will be held at the Brisbane Hilton at 5.30 pm to 7.00 pm.

There will be two speakers:

Mr Tyrrell McGeever (Manager Queensland, Export Finance and Insurance Corporation);

Mr Howard Alexander (Barrister with experience in Revenue Law).

Persons wishing to register for the Seminar should contact Mr Harry Rigney at Pannell Kerr Forster, Chartered Accountants, Capita Building, 307 Queen

Street, Brisbane 4000 (Telephone (07) 221 3655).

2. On 12 May, 1993 there will be a members only seminar on the topic of "Government Information Technology Conditions".

Government Information Technology Conditions (GITC) are a uniform set of terms and conditions for information technology acquisition for all tiers of government throughout Australia.

The aim of the seminar is to inform members of the conditions.

The seminar will be held at the offices of Messrs Kinsey Bennett & Gill at Level 8, Comalco Place, 12 Creek Street, Brisbane from 12.30 pm to 2.00 pm.

Lunch will be provided.

3. On 19 May 1993 there will be a members only seminar on the topic of "Vocational Works Text

Retrieval Software Demonstration".

The seminar is to be held at the offices of Messrs Feez Ruthning at 12 Eagle Street, Brisbane from 12.30 pm to 2.00 pm.

Lunch will be provided.

4. On 9 June 1993 there will be a members only seminar on the topic of "Managing Computer Litigation".

The seminar will be held at the offices of Messrs Feez Ruthning at 12 Eagle Street, Brisbane from 12.30 pm to 2.00 pm.

Lunch will be provided.

5. On 15 June, 1993 there will be a members only seminar on the topic of "Virus Protection" at the offices of Pannell Kerr & Forster at 307 Queen Street, Brisbane from 12.30 pm to 2.00 pm.

Lunch will be provided.

## Victoria

The Victorian Society for Computers and the Law held its Annual General Meeting on 16 December 1992 at the offices of Mallesons Stephen Jaques followed by a cocktail party. The guest speaker was Ms Sally Brown, Chief Magistrate of the Melbourne Magistrates' Court who gave an entertaining talk to the members.

At the Annual General Meeting the following people were re-elected as office bearers:

Gordon Hughes (President)

Philip Catania (Vice President)

Paul Gleeson (Treasurer)

Amanda Bodger (Secretary)

Prospero Franzese (Public Relations Officer)

Doron Karliner (Meetings Officer)

Dan Hunter (Publications Officer)

Diane Strachan, Julian Burnside, John MacMillan, Timothy

Falkiner, Tony Beal, Carolyn Sparke, Caroline Ives (Committee Members)

Since the Annual General Meeting, Philip Reynolds has also been appointed as a Committee Member.


The first meeting of the Society for 1993 was held on Tuesday 23 March. The guest speaker was Dan Hunter who gave an informed and interesting talk about 'Recent us Computer Copyright Cases and

their Effect on the Australian Law'. Dan also discussed the recent High Court decision in the *Autodesk* rehearing application.

The next meeting is to be held on Wednesday 21 April 1993. Mr

Victorian Society - 1993 Committee	
<i>President</i>	Gordon Hughes
<i>Vice President</i>	Philip Catania
<i>Treasurer</i>	Paul Gleeson
<i>Secretary</i>	Amanda Bodger
<i>Public Relations Officer</i>	Prospero Franzese
<i>Meetings Officer</i>	Doron Karliner
<i>Publications Officer</i>	Dan Hunter
<i>Other Committee Members</i>	Diane Strachan Julian Burnside John MacMillan Timothy Falkiner Tony Beal Carolyn Sparke Caroline Ives Philip Reynolds

Philip Argy will present a talk on "Product Liability and High Technology".

Mr Graham Greenleaf will also address the members later in the year on the protection of data. 

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## IN OUR NEXT ISSUE...

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Our next issue looks at

### COMPUTER CONTRACTS

and picks up on our discussion of international computer law in this issue. We have a range of articles on contractual issues in computer-related industries from around the world. We will also have reviews of two recent works on computer contracts as a guide for those who are regularly drafting such agreements.

 Please send all contributions to the Editors no later than June 16, 1993.