

DANIEL TYNAN

BARRISTER

12th Floor Wentworth-Selborne Chambers
174-180 Phillip Street, Sydney
T: (2) 9221 0788
M: 0422 054 572
E: danieltynan@12thfloor.com.au

EDUCATION

| | |
|--|-------------|
| CAMBRIDGE UNIVERSITY Master of Laws | 2006 |
| UNIVERSITY OF NEW SOUTH WALES Bachelor of Laws | 2002 |
| UNIVERSITY OF NEW SOUTH WALES / UNIVERSITY OF WOLLONGONG Bachelor of Science (Honours) | 1999 |

PROFESSIONAL EXPERIENCE

| | |
|--|-----------------------|
| BARRISTER 12 th Floor Wentworth-Selborne Chambers 11 th Floor Wentworth-Selborne Chambers | 2008 - present |
| <ul style="list-style-type: none">➤ Trial and appellate advocacy and advice work in the Federal Court, State Courts and administrative tribunals in administrative law, competition law, constitutional law, corporate law and international law | |
| ADJUNCT LECTURER IN LAW University of Sydney | 2010 - present |
| <ul style="list-style-type: none">➤ Public Law➤ Civil and Criminal Procedure | |
| PART-TIME LECTURER IN LAW University of Technology Sydney | 2008 - present |
| <ul style="list-style-type: none">➤ Evidence Law – Preparation for the Bar Exams | |
| SENIOR LAWYER / LAWYER Australian Government Solicitor, Canberra | 2006 - 2008 |
| <ul style="list-style-type: none">➤ Trial advocacy and the provision of written legal advice in administrative law, competition law, international law, privacy law, public law, national security law and general commercial law | |
| RESEARCH ASSISTANT Lauterpacht International Law Centre University of Cambridge | 2006 |

POLITICAL ADVISER ON NATIONAL SECURITY
The Hon Robert McClelland MP
Parliament House of Australia, Canberra

2004 - 2005

- Provision of legal and policy advice to Members of Parliament and Senators on national security law and international law
- Provision of advice and policy on institutional arrangements for national security, project funding and law reform

JUDGE'S ASSOCIATE
The Hon Rodney Madgwick QC
Federal Court of Australia

2003 - 2004

- Provision of legal research, analysis and drafting of first instance and Full Court judgments on matters including administrative law, constitutional law and human rights law

PART-TIME LECTURER IN LAW
University of New South Wales

2004

- Public Law

RECENT CASES AND ADVICE WORK

Recent Cases

- *ACCC v Singtel Optus Pty Limited No 4* [2011] FCA 761 (with Neil Williams SC)
This case concerned the imposition of a pecuniary penalty under s 76E of the *Trade Practices Act 1974* (Cth) (TPA) on Optus in the sum of \$5.26 million for contravention of s 55A of the TPA.
- *Flowers v National Australia Bank* (ongoing Federal Magistrates Court and Supreme Court proceedings) (with David Higgs SC)
This case concerned the alleged breach by the NAB of the Code of Banking Services.
- *BlackRock Asset Management Australia Services Limited & Anor v Waked & Ors* (NSD0066/2011) (with Arthur Moses SC)
This case concerns alleged breaches by the respondents of their employment contracts, fiduciary duties and restraints of trade.
- *ACCC v Metcash Trading Limited & Anor* (NSD1714/2010) (with Norman O'Brien SC and John Halley SC and Damien O'Donovan)
This case concerns s 50 of the TPA and is currently reserved before Emmett J in the Federal Court.
- *ACCC v Global One Mobile Entertainment Limited* [2011] FCA 393 (with Simon White SC)
This case concerned contraventions by the respondents of ss 52, 53(aa), 53(c) and 53(e) of the TPA.
- *ACCC v Singtel Optus Pty Limited* [2010] FCA 1177 (with Neil Williams SC)
This case concerned contraventions by the respondents of ss 52, 53(aa) and 55A of the TPA.
- *ACCC v Singtel Optus Pty Limited (No. 3)* [2010] FCA (with Neil Williams SC)
This case concerned the imposition of enforcement remedies under ss 80 and 86C of the TPA.
- *Brennan v Consumer, Trader & Tenancy Tribunal & Anor* [2010] NSWSC 1240
This case concerned an application for judicial review in the Supreme Court of NSW.

- *ACCC v European City Guide SL* (NSD879/2009) (with Simon White SC)
This case concerned alleged contraventions of ss 52, 53(aa), 53(c), 53(d), and 53(e) of the TPA and is currently reserved before Moore J.
- *St George Bank v KWJ Holdings Pty Limited & Ors* (Supreme Court 16665/08)
This case concerned an application for breach of contract under loan agreements and was heard in the Supreme Court of NSW.

I have also appeared for the Minister in the following judicial review proceedings in the Federal Magistrates Court and the Federal Court:

- *SZOLO v Minister for Immigration and Citizenship* [2011] FCA 84
- *SZOKB v Minister for Immigration and Citizenship* [2010] FMCA 610
- *SZNHS v Minister for Immigration and Citizenship* [2009] FCA 1254
- *SZMOB v Minister for Immigration and Citizenship* [2009] FCA 140
- *SZNUY v Minister for Immigration and Citizenship* [2009] FMCA 1138
- *SZNTM v Minister for Immigration and Citizenship* [2009] FMCA 1080
- *SZNHS v Minister for Immigration and Citizenship* [2009] FMCA 873
- *SZMSM v Minister for Immigration and Citizenship* [2009] FMCA 84

Recent Advice Work

- Competition and consumer law, defamation, employment law, administrative law and financial services

RECENT SPEECHES AND LECTURES

- 'Improving Administrative Decision-Making'
Given to the Department of Immigration and Citizenship at Sparke Helmore Lawyers, 2010
- 'Using Evidence Effectively' (with Professor Elisabeth Peden)
Given at St George-Sutherland Law Society, 2010
- 'Aon Risk Services v The ANU (2009) HCA 27 – Implications for Advocacy'
Given at the Australian Competition and Consumer Commission, Sydney, 2009
- 'Aon Risk Services v The ANU (2009) HCA 27 and Complex Government Litigation', Given at Sparke Helmore Lawyers, 2009
- 'National Security Law and Australia's International Obligations'
Lecture given at UNSW Law School, 2009

PROFESSIONAL MEMBERSHIPS

- Member, NSW Bar Association, 2008-2011
- Member, Sport, Health and Recreation Committee, 2010-2011
- Roll of Practitioners of the High Court of Australia
- Pro-bono Barrister, Public Interest Law Clearing House (PILCH)
- Legal Adviser, Katoke Trust for Overseas Aid