

## Legislative Drafting Consultancy - long distance

### 1. Applicant's background

#### NAME

ANDREW FERNBACH

#### APPOINTMENT

Principal lawyer, GOVLAW

#### PASSPORT

Australian

#### EDUCATIONAL QUALIFICATIONS

Bachelor of Law (Honours) and Arts, The University of Melbourne

#### EXPERIENCE WITH OTHER CULTURES

- University of Melbourne (Japanese): 90% H1;
- One year homestay in Japan (AFS).

### 2. Legislative drafting experience

Former legislative draftsman, AUSTRAC (Australian Transaction Reports and Analysis Centre), Commonwealth of Australia for over 10 years.

Legislative drafting experience includes the Anti-Money Laundering and Counter-Terrorism Financing Rules (AML/CTF Rules):

- Chapter 33 - Applicable customer identification procedure for purchases and sales of bullion valued at less than \$5,000;
- Chapter 46 - Special circumstances for the applicable customer identification procedure; and
- Chapter 48 - Salary packaging.

### 3. Other relevant experience

The *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth) regulates financial services, bullion traders and gambling, including casinos, online gaming, on-course bookmakers, totalisator agency boards and gaming machine operators. Experience with these sectors may be relevant to a variety of legislative drafting assignments.

## 4. Publications

The applicant drafted a Chapter for the AUSTRAC CEO on the Australian AML/CTF regulatory environment published by Lexis Nexis in *Anti-Money Laundering and Financial Crime*.

### ARTICLES

- 'Challenging Market Quotations in the ISDA Close-out Context: Two Watersheds in Common Law Derivatives Litigation: Peregrine and Enron' *Finance and Treasury Professional*.
- 'Court Rules on ISDA Close-out Calculations' (March 2003) *International Financial Law Review* 21-2 (while employed by King & Wood, Mallesons).



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