

Andrew Fernbach
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# **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 draftsperson, 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

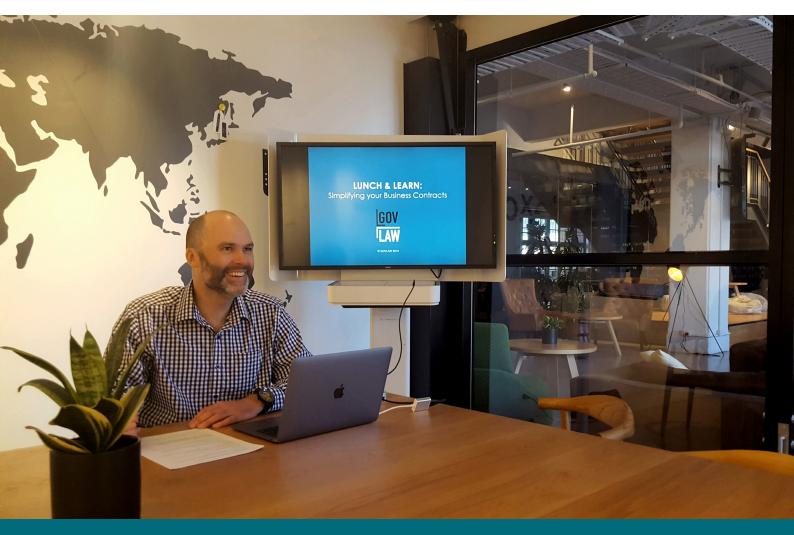
The Anti-Money Laundering and Counter-Terrorism Financing Act 2006 (Cth) regulates financial services, bullion traders and gambling, including casinos, online gaming, on-course bookmakers, totalisator agency boards and gaming machine operators. Experience with these sectors may be relevant to a variety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