

Jason Harris-*Curriculum Vitae*

EDUCATIONAL QUALIFICATIONS

BA/LLB (WSU), LLM (ANU), FGIA FCIS

PROFESSIONAL/COMMUNITY SERVICE

Australian Financial Security Authority

Nominee of Attorney-General for bankruptcy trustee registration committee (2018)

Australian Restructuring Insolvency and Turnaround Association

Academic Member and Member of the Terry Taylor Scholarship Committee

Banking and Financial Services Law Association

Chair of the Academic Committee Executive

Corporate Law Teachers Association

President (2017) and executive committee member (2008-2017)

Governance Institute of Australia

Fellow and member of the Corporate and Legal Issues Committee (2007-)

Chair of the National Education Committee (2015-2017)

Chair, *Graduate Diploma in Applied Corporate Governance* Assessment Review Panel (2007-2015)

Chair *Applied Corporate Law* National Subject Advisory Committee (2007-2015)

Insol International

Member

Law Council of Australia (Business Law Section)

Member of the Insolvency & Restructuring Committee and Corporations Law Committee

EDITORIAL AND ADVISORY ROLES

Australian Journal of Corporate Law, LexisNexis (Editorial board member)

Australian Law Journal, Thomsonreuters ('Company and Securities Law' editor)

Insolvency Law Bulletin, LexisNexis (co-editor 2016-2017)

Journal of Banking and Finance Law and Practice, Thomsonreuters ('Insolvency' co-editor)

Western Sydney University Law Review (Editorial advisory board member)

UNIVERSITY SERVICE

Law Faculty Committees

Courses (2009-2015); Appointments (2008-2016); Research Management (2007-2013)

Course reviews: LLM review (2009); LLB, and JD electives (2010); (Chair) Postgraduate Programs (2013)

University Committees

2017 Online Group Collaboration Software Steering Group

2012 Future of Honours Working Group; Data Intensive University Working Group

2010 Campus Master Plan Research Infrastructure Working Group

2009 Early Career Research Grant Review Committee

AWARDS

2015 UTS Faculty of Law teaching award (the Lyndall Taylor award)

2011-2012 INSOL International Scholar for the Asia Pacific Rim

WORK EXPERIENCE

Current position

Professor of Corporate Law, Sydney Law School, University of Sydney

Former positions

2007-Jan 2019 University of Technology Sydney, Faculty of Law

Associate Professor (full-time); Director ARITA (insolvency) Advanced Certificate Course (2016-2018)

Director of Courses (2012-2013)

Coordinator and lead trainer, ASIC in-house training program (Access UTS) (2011-2018)

2010 Australian National University, College of Law

Course Coordinator / Lecturer, *Takeovers and Securities Law*, 2010

2008-2013 Insolvency Practitioners Association

Instructor- *Introduction to Insolvency Law* (2 day short course)

2007-2013 Chartered Secretaries Australia

Course director- *Applied Corporate Law* (seminar and distance courses)

Course director- *Corporate Accountability, Meetings and Disclosure* (seminar course-2011 only)

2002-2006 University of New South Wales, School of Business Law and Taxation

Lecturer (full-time).

2003 University of Sydney (Centre for Continuing Education)

Course Coordinator, *Corporations Law*

2003 University of Western Sydney

Casual Lecturer, *Corporations Law*, School of Law

2001 Australian Government Solicitor

Early Career Lawyer, *Litigation*

1999-2002 Butterworths Halsbury's Laws of Australia / Casebase

Senior Legal Researcher / Research Trainer / Freelance Editor / Freelance author

1998 South West Sydney Legal Centre

Volunteer

PUBLICATIONS LIST

Major Refereed Articles

Harris, J. (2018) *Putting the cart before the horse? The liability of company secretaries and general counsel for defective disclosure*, Australian Journal of Corporate Law, 33(1), pp 55-75

Harris, J. (2017) *Class warfare in debt restructuring: Does Australia need cross-class cram down for creditors' schemes of arrangement?*, University of Queensland Law Journal, 36(1), pp 73-97

Harris, J. (with Hargovan, A.) (2017) *Still a sleepy hollow? Directors' liability and the business judgment rule*, Australian Journal of Corporate Law, 31(3), pp 319-343

Harris, J. (2017) *Unpacking the Ten Administration*, Journal of Banking and Finance Law and Practice, 28(4), pp 343-353

Harris, J. (2016) *Reforming insolvent trading to encourage restructuring: Safe harbour or sleepy hollows?* Journal of Banking and Finance Law and Practice, 27(4), pp 294-309

Harris, J. (with Hargovan, A.) (2013) *For Whom the Bell Tolls: Directors' Duties to Creditors after Bell*, Sydney Law Review, 35(2), pp 433-450

Harris, J. (2012) *Assessing the effect of the PPSA on the Corporations Act and corporate law teaching*, Australian Journal of Corporate Law, 27(1), pp 72-90

Harris, J. (2011) *Enhancing the Role of Creditors' Committees in Corporate Rescue Laws*, Annual Review of Insolvency Law, [2011], pp 675-201

Harris, J. (with Hargovan, A.) (2011) *Corporate groups: the intersection between corporate and tax law*, Sydney Law Review, 32(3), pp 719-732

Harris, J. (2011) *Adjusting Creditor rights against third parties during debt restructuring*, Insolvency Law Journal, 19(1), pp 22-36

Harris, J. (with Hargovan, A.) (2011) *Together Alone: Corporate Group Structures and their Legal Status Revisited*, Australian Business Law Review, 39(2), pp 85-94

Harris, J. (2010) *Lehman Brothers Holdings Inc v City of Swan: Charting the Limits of Insolvency Reorganisations*, Sydney Law Review, 32(1), pp 141-157

Harris, J. (with Legg, M.) (2010) *What price investor protection? Class actions vs. corporate rescue*, Insolvency Law Journal, 18(1), pp 185-205

Harris, J. (2009) *Director liability for insolvent trading: Is the cure worse than the disease?* Australian Journal of Corporate Law, 23(1), pp 266-286

Harris, J. (2009) *Relief from liability for company directors: recent developments and implications*, University of Western Sydney Law Review, 12, pp 152-175

Harris, J. (with Evers, M.) (2009) *The duties of in-house counsel – the bold, the bright and the blurred?*

Australian Business Law Review, 37(4), pp 267-285

Harris, J. (with Legg, M.) (2009) *How the American dream became a global nightmare: An analysis of the causes of the global financial crisis*, University of New South Wales Law Journal, 32(2), pp 350-389

Harris, J. (with Hargovan, A.) (2008) *Shareholders as creditors: a response to the CAMAC discussion paper on law reform*, Australian Journal of Corporate Law, 22(2), pp 135-160

Harris, J. (with Hargovan, A. and Austin, J.) (2008) *Shareholder Primacy Revisited: Does the Public Interest Have Any Role in Statutory Duties?*, Company and Securities Law Journal, 26(6), pp 355-376

Harris, J. (with Zandstra, A. and Hargovan, A.) (2008) *Widening the Net: Accessorial Liability for Continuous Disclosure Contraventions*, Australian Journal of Corporate Law, 22(1), pp 51-81

Harris, J. (2008) *Substantive consolidation under statute law: lessons from Australia*, in Sarra, J. (ed.) Annual Review of Insolvency Law, [2008], pp 541-568

Harris, J. (with Hargovan, A.) (2007) *The intersection between shareholders' and creditors' rights in insolvency: an Australian perspective*, in Sarra, J. (ed.) Annual Review of Insolvency Law, [2007], pp 699-734

Harris, J. (with Hargovan, A.) (2007) *Sons of Gwalia and statutory debt subordination: An appraisal of the North American experience*, Australian Journal of Corporate Law, 20(3), pp 265-300

Harris, J. (with Hargovan, A.) (2007) *Sons of Gwalia: Navigating the line between membership and creditor rights in corporate insolvencies*, Company and Securities Law Journal, 25(1), pp 7-29

Harris, J. (2007) *Corporate group insolvencies: Charting the past, present and future of pooling arrangements*, Insolvency Law Journal, 15(2), pp 78-99

Harris, J. (with Hargovan, A.) (2007) *Sons of Gwalia Ltd v Margaretic — The Shifting Balance of Shareholders' Interests in Insolvency: Evolution or Revolution?* Melbourne University Law Review, 31(2), pp 591-621

Harris, J. (2006) *Federal Collective Bargaining after Electrolux*, Federal Law Review, 34(1), pp 45-73

Harris, J. (2006) *The constitutional basis of s 447A: Is it a power without limit?* Insolvency Law Journal, 14(3), pp 135-149 **(cited in [2008] WASC 75)**

Harris, J. (with Gordon, B.) (2005) *Lost in Transition: Section 447A and the question of members' rights when a company transitions from voluntary administration to a creditors' voluntary liquidation*, Insolvency Law Journal, 13(2), pp 96-110

Harris, J. (2005) *Lifting the corporate veil on the basis of an implied agency: A re-evaluation of Smith, Stone and Knight*, Company and Securities Law Journal, 23(1), 7-27 **(cited in [2005] SASC 204)**

Refereed Book Chapters

Harris, J. (2015) 'Corporate Insolvency Law Reform: Reframing the Dialogue' in McCracken, S. & Griffiths, S. (eds), *Making Banking and Finance Law*, Ross Parsons Centre, Sydney, pp. 53-76.

Harris, J. (2014) 'Should voluntary administration remain a one-size-fits-all procedure? Do we need a fast track system for small business rescues?' in Griffiths, S, McCracken S, and Wardrop A (eds) *Exploring Tensions in Finance Law*, Brookers, Ch 5.

Books

Harris, J. (2018) (with Murray, M) *Keay's Insolvency*, 10th ed, Thomsonreuters, 978 pages (and 3 prior editions-cited in [2018] NSWSC 1967; [2018] VSC 633; [2018] FCCA 3163; [2017] TASSC 49; [2017] NSWSC 1562; [2017] VSC 78; [2016] FCA 1568; [2016] FCCA 2836; [2016] NSWSC 687; [2016] NSWSC 357; [2016] FCA 264; [2016] ACAT 3; [2012] FCA 553; [2011] FCA 1272)

- Harris, J. (2018) (with Hargovan, A. and Adams, M.) *Australian Corporate Law*, 6th ed, LexisNexis Butterworths, 736 pages (and prior 5 editions)
- Harris, J. (2018) (with du Plessis, J et al) *Principles of Contemporary Corporate Governance*, 4th ed, Cambridge University Press, 462 pages (and 1 prior edition)
- Harris, J. (2018) (with Mirzai, N.) *The Annotated Personal Property Securities Act*, 3rd ed, CCH, 1081 pages (and 2 prior ed) (cited in [2018] NSWSC 398; [2017] FCA 170; [2016] NSWSC 1023; [2014] NSWSC 1466; [2014] VSC 644)
- Harris, J. (2015) *Understanding Business Contracts*, 1st ed, CCH, 153 pages
- Harris, J. (2015) *Company Law: Theories, Principles and Applications*, 2nd ed, LexisNexis Butterworths, 900 pages
- Harris, J. (2014) (with Croese, C) *Contract Law in Context*, 1st ed, CCH, 489 pages
- Harris, J. (2014) (with Gronow, M and Anderson, H) *Insolvency Law: Cases and Materials*, 1st ed, Thomsonreuters, 493 pages
- Harris, J. (2014) *Corporations Law*, 3rd ed, LexisNexis Butterworths, 334 pages (and 2 prior editions)
- Harris, J. (2013) *Corporations Law: Questions and Answers*, 4th ed, LexisNexis Butterworths, 254 pages (and 2 prior editions)
- Harris, J. (2012) *Company Law: Theories, Principles and Applications*, 1st ed, LexisNexis Butterworths, 425 pages (research book, HERDC Category A1)
- Harris, J. (2012) (with Juriansz, Chapple, Robinson and Mirzai) *Equity and Trusts*, Palgrave Macmillan, 450 pages
- Harris, J. (2004-2009 – 9 editions in total) (with B. Baxt) *Corporations Legislation Annual*, Thomson LBC (Annotated Corporations Act) (cited in [2007] NSWSC 748; [2010] NSWSC 439 and [2013] SASCFC 57)
- Harris, J. (with McSpedden, A. and Pincus, R.) *Personal Injury Litigation NSW*, LexisNexis Butterworths (loose-leaf, co-author from 2004-2008) (cited in [2011] NSWSC 508)
- Harris, J. (ed) (2003) *Essential Commercial Legislation NSW 2003/2004*, Lawbook Co
- Harris, J. et al (lead author and editor) (2001) *Company Secretaries Essentials*, Butterworths, 522 pages

Selection of Shorter Articles

- Harris, J. (2018) *The current state of insolvency law reform*, Journal of Banking and Finance Law and Practice, 29(3), pp 267-271
- Harris, J. (2018) *More phoenix hunting*, Insolvency Law Bulletin, 19(8), pp 160-163
- Harris, J. (2018) *Testing the limits of deeds of company arrangement*, Insolvency Law Bulletin, 19(4), pp72-80
- Harris, J. (2018) *Insolvency practitioners' duties: Macks v Viscariello*, Insolvency Law Bulletin, 19(1), pp4-7
- Harris, J. (2017) *Committees of inspection under the Insolvency Law Reform Act 2016*, Insolvency Law Bulletin, 18(8), pp 179-183.
- Harris, J. (2016) *Barbarians at the gate? Activist investors and s 249N of the Corporations Act 2001 (Cth)*, Company and Securities Law Journal, 34(2), pp 151-156.
- Harris, J. (2016) *Using voluntary administration to dilute minority shareholdings*, Australian Restructuring Insolvency and Turnaround Association Journal, 28(1), pp 22-27.
- Harris, J. (2016) *Apparent authority and statutory demands*, Insolvency Law Bulletin, 17(8), pp 159-161.
- Harris, J. (2016) *Challenging an administrator's power of sale*, Insolvency Law Bulletin, 17(4), pp 65-67.

- Harris, J. (2016) *Forge case examines PPS leases*, Journal of Banking and Finance Law and Practice, 27(1), pp 79-82.
- Harris, J. (with Hargovan, A.) (2016) *Productivity Commission safe harbour proposal for insolvent trading*, Governance Directions, 68(1), pp 9-12.
- Harris, J. (with Tranter-Wilson, A.) (2016) *Essential PPSA update: recent cases*, Australian Banking & Finance Law Bulletin, 32(8), pp 166-170.
- Harris, J. (with Tranter-Wilson, A.) (2016) *The PPSA in review: key takeaways from Whittaker's Final Report*, Australian Banking & Finance Law Bulletin, 32(5), pp 96-100.
- Harris, J. (2015) *Restructuring nirvana? Chapter 11 bankruptcy and Australian insolvency reform*, Insolvency Law Bulletin, 16(3), pp. 42-46.
- Harris, J. (with Green, G.) (2015) *Total Control? The Bell Group decision and its impact for lenders and their advisers*, Australian Insolvency Journal, 27(3), pp 23-26.
- Harris, J. (with Heffernan, J. & Toohey, M.) (2015) *Not-for-profit constitutions: Crossing the T's while hugging the trees*, Governance Directions, 67(7), pp. 397-398.
- Harris, J. (2014) *PPSA: Recent Developments*, Australian Insolvency Journal, 26(2), pp. 30-33.
- Harris, J. (2014) 'The Protection of Employee Entitlements in Insolvency', Australian Insolvency Journal, 26(2), pp. 64-64. (book review)
- Harris, J. (with Hargovan, A.) (2014) *Administrator liability when selling encumbered assets*, Insolvency Law Bulletin, 15(10), pp. 158-160.
- Harris, J. (with Hargovan, A.) (2014) *Revisiting the business judgment rule*, Governance Directions, 66(10), pp. 634-637.
- Harris, J. (with Mirzai, N.) (2014) *Dealing with registration issues on the PPSR*, Governance Directions, 66(9), pp. 569-572.
- Harris, J. (2014) *PPSA: Recent Developments*, Australian Insolvency Journal, 26(2), pp 30-33
- Harris, J. (with Mirzai, N) (2014) *Reviewing retention of title arrangements in supply agreements*, Governance Directions, 66(4), pp 236-236
- Harris, J. (with Hargovan, A.) (2014) *Strengthening creditor enforcement in insolvency — UK law reform proposals*, Insolvency Law Bulletin, 15(3), pp 45-47
- Harris, J. (2009) *Lessons From Abroad: It's Time to Reform Insolvent Trading Laws*, Insolvency Law Bulletin, 10(1), pp 2-6
- Harris, J. (2009) *The Role of Future Liabilities in Insolvency Law*, Insolvency Law Bulletin, 9(8), pp 129-132
- Harris, J. (2008) *Initial impressions of the new statutory pooling provisions*, Insolvency Law Bulletin, 8(9), pp 134-136
- Harris, J. (with Hargovan, A.) (2008) *The scope of the pari passu rule*, Australian Insolvency Journal, 20(1), pp 16-21
- Harris, J. (2007) *The Revised Statutory Pooling Provisions*, Australian Insolvency Journal, 19(3), pp 28-30
- Harris, J. (2007) *Collapse Inc: the case of the sleeping watchdog?*, Insolvency Law Bulletin, 8(2), pp 21-23
- Harris, J. (with Hargovan, A.) (2007) *Sons of Gwalia and the High Court: Implications for shareholders, creditors and the insolvency regime*, Insolvency Law Bulletin, 7(7), pp 80-85
- Harris, J. (2007) *Pooling: An overview of reforms*, Australian Insolvency Journal, 19(1), pp 16-21
- Harris, J. (with Hargovan, A.) (2007) *Piercing the corporate veil in Canada: A comparative analysis*, Company Lawyer, 28(2), pp 58-62

- Harris, J. (with Hargovan, A.) (2006) *Sons of Gwalia: policy issues raised by the subordination of shareholder claims*, Insolvency Law Bulletin, 7(1), pp 1-8
- Harris, J. (2006) *Seeking court approval for pooling arrangements*, Company and Securities Law Journal, 24(7), pp 443-447
- Harris, J. (2005) *Pooling Options for Insolvent Corporate Groups*, Company Lawyer, 26(4), pp 127-130
- Harris, J. (with Hargovan A.) (2005) *The relevance of control in establishing an implied agency relationship between a company and its owners*, Company and Securities Law Journal, 23(7), pp 459-464
- Harris, J. (with Hargovan A.) (2005) *Can a Company Reinstatement Order be Sought for Tactical Advantage?* Company and Securities Law Journal, 23(6), pp 391-395
- Harris, J. (2005) *The High Court limits protected industrial action*, Keeping Good Companies, 57(1), pp 42-47
- Harris J. (with Hargovan, A.) (2004) *The nature of the corporate employer's duty of care to employees: is it co-extensive?* Australian Business Law Review, 32(5), pp 367-371
- Harris, J. (2004) *Lifting the corporate veil in industrial disputes* Company and Securities Law Journal, 22(1), pp 69-72
- Harris J. (2004) *Liquidator forced to hold s 508 members' meeting despite no prospect of return for members* Company and Securities Law Journal, 22(4), pp 284-5
- Harris J. (2004) *Can the court order the reinstatement of a deregistered company on a limited basis?* Company and Securities Law Journal, 22(8), pp 531-534
- Harris J. (2004) *When will the execution of a deed of company arrangement terminate a pre-existing liquidation?* Insolvency Law Journal, 12(3), pp 184-188
- Harris, J. (2004) *Flexibility in the 21 day time limit to set aside a statutory demand: The element of fairness considered*, Insolvency Law Journal, 12(4), pp 256-258
- Harris J. (2004) *More uncertainty for outsourcing arrangements*, Keeping Good Companies, 56(1), pp 36-39
- Harris J. (2004) *Excluding casual employees: recent developments*, Employment Law Bulletin, 10(1), pp 5-7
- Harris, J. (2003) *Outsourcing under threat once again? Gribbles' case explored*, Employment Law Bulletin, 9(5), pp 49-53
- Harris, J. (2002) *Freedom of speech and employees: a new application for s 298K?*, Employment Law Bulletin, 8(7), pp 57-62