

# Frank Maconi

## Consulting Principal

Bachelor of Laws (Honours)  
Bachelor of Arts



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## Areas of expertise

Corporate & Commercial Law  
Commercial Litigation

## Previous engagements

Blake Dawson (now Ashurst)  
Macrossan & Amiet  
M+P Business Consultants (Mexico)  
Stone Group Lawyers

## Languages

Spanish  
Italian  
French

## Overview

Frank is an experienced lawyer with particular corporate, commercial and litigation expertise. This includes national and cross-border transactions and disputes in both common law and civil law jurisdictions, building and construction law, corporate insolvency and bankruptcy, contract drafting and contract review.

Frank also provides legal advice on directors and shareholders rights and obligations, corporate acquisitions and sales, franchise agreements and sales, commercial leases and financial instruments.

Frank's commercial acumen draws heavily from his experience working in Mexico, where he advised medium and large corporations in the trade and banking sectors, as well as the Mexican Foreign Office.

Frank is a Member of the International Chamber of Commerce (ICC) and the Chartered Institute of Arbitrators (CI Arb).

## Expertise

### Corporate Law

- Advising and settling on major national corporate sales.
- Advising and settling on major cross-border finance agreements in petroleum infrastructure.
- Advising on foreign corporate regulations and import/export tariffs and requirements into USA and EU.
- Advising on parent company and subsidiary company rights and obligations and roles of Directors and Shareholders.
- Advising on issuing corporate bonds and debt capital markets including ASX requirements.
- Registering companies limited by guarantee for charitable purposes.

### Commercial Law

- Purchasing and selling franchises, both nationally and cross-border, and drafting all relevant commercial documents for the transaction.
- Advice on building and construction contracts, including rights of superintendents, contractors and sub-contractors.
- Drafting and advising on commercial licences and business structures.
- Drafting and advising on trusts and self-managed superannuation funds.

### Commercial Litigation

- Acting across a wide range of commercial disputes in Queensland and New South Wales including trials.
- Mediations and dispute resolution processes.
- Appearing in applications to enforce equitable rights including specific performance.
- Appearing in applications for Summary Judgment.
- Appearing in Cost Assessment applications.
- Issuing creditor's Statutory Demands and applying to set aside opposing parties' Statutory Demands on the basis of genuine dispute.
- Pleading and appearing in banking and finance litigation.
- Pleading in matters involving breaches of the Corporations Act 2001 and the ASIC Act 2001 relating to negligent financial advice.
- Pleading in corporate litigation involving breaches of directors' duties seeking declaratory relief and damages.
- Pleading in body corporate and strata title litigation, including urgent applications for injunctive relief.
- Advice on capacity and guardianship litigation.
- Advice on wills and estates disputes.
- Advice on company's voluntary administration, liquidation and claw-back provisions.



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## Publications

### Legal Publications

- Maconi, Francesco "The Case for Arbitrating Cross-Border Insolvencies" (forthcoming 2016).
- Maconi, Francesco "A Critical Reading of Akers v Deputy Commissioner of Taxation" *Insolvency Law Journal* (forthcoming 2016).

### Overseas Publications

- Maconi, Francesco "La Estandarización Global: ISO 9001 e ISO 14001" (title translation "Global Standardisation: the ISO 9001 and ISO 14001 Standards"), *Consultoría –Industria del Conocimiento* ed. May 2012.
- Maconi, Francesco "Necesitamos Incrementar la Productividad – Herramientas que las Empresas Mexicanas Requieren" (title translation "We Need to Improve Corporate Productivity – Tools that Mexican Companies Need"), *Revista Consultoría* No. 11 of 2012.
- Maconi, Francesco "La Calidad en Empresas de Calidad – Un Discurso Contemporáneo" (title translation "The Quality in Quality Enterprises – a Contemporary Discourse"), *Revista Consultoría* No. 13 of 2012.
- Maconi, Francesco "La Igualdad de Género – Un Tema Oportuno de Gestión" (title translation "On Gender Equality – An Important Matter for Management"), *Revista Consultoría* No. 18 of 2013.
- Maconi, Francesco "Sistema de Gestión de la Energía ISO 50001:2011 – Una Nueva Tecnología para la Eficiencia Energética. Propuesta Real de Sustentabilidad para Empresas y Emprendedores" (title translation "On the ISO 50001:2011 Standard – A New Technology in Energy Efficiency. A Concrete Proposal for Enterprises and Entrepreneurs"), *Energía Hoy* (June 2013).
- Maconi, Francesco "La Importancia de la Consultoría para Construir México" (title translation "The Importance of Consulting Firms in Building Mexico"), *Revista Consultoría* (June 2013).