



CHRISTOS MANTZIARIS

Nationally Accredited Native Title Mediator

For more information on the mediation
services offered, please visit

www.mantziaris.com.au

CV and publications appear
on pages 2-5 below

Dr CHRISTOS MANTZIARIS



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PROFILE AND AREAS OF PRACTICE

Barrister since 2004. Mediator since 2019.

Admitted as a legal practitioner (solicitor) in 1996. Christos advises and appears, primarily unled, in a wide range of private and public law litigation: *see Selected Decided Cases below*. His focus lies in:

- Property and environmental law
- Indigenous corporate governance and property rights
- Administrative law and occupational licensing
- Equity and commercial law
- Corporations and insolvency law
- Trusts law
- Estates law (domestic and international)
- Investigations and Inquiries

Christos acts for individual, institutional and corporate clients. He is valued by solicitors for his analytical skills, his commercial, common sense approach to dispute resolution, and his ability to communicate effectively with clients and the Bench.

EDUCATION

BA (Hons), LLB, PhD (Law)

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|-------------|---|
| 1998 – 2002 | Doctor of Philosophy (Law) (Australian National University). Thesis entitled <i>Government Corporations and Shareholdings: The Public/Private Distinction in Judicial Reasoning</i> |
| 1991 – 1995 | Bachelor of Laws, (2 nd in graduating year) (University of New South Wales) |
| 1988 – 1991 | European University Institute (Florence) and the JW Goethe University (Frankfurt) |
| 1984 – 1987 | Bachelor of Arts (University Medal, 1 st class Honours) (University of Sydney) |

OTHER LEGAL EXPERIENCE

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| 2019 | Appointed as the Reporter to the Minister for the Environment under section 10 of the <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> (Cth) with respect to an application for the protection of the Ravensworth Estate Complex. |
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- 2019 Appointed as **Counsel Assisting the Law Enforcement Conduct Commission** in an inquiry of undisclosed title.
- 2016 Appointed by the Department of Trade and Investment (NSW) to conduct an internal inquiry into tender processes involving Crown Land.
- 2011 Appointed **Reporter to the Minister for Sustainability, Environment, Water, Population and Communities** under section 10 of the *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (Cth), on applications involving Gulaga Mountain (Mt Dromedary) and Mumbulla Mountain.
- 2003, 1995 **Solicitor, Blake Dawson Waldron (now Ashurst)**
Dispute Resolution and Corporate Advisory on corporate and commercial law, superfund and public law matters.
- 1998–2002 **Adviser and legal consultant**
Part-time, during the ANU doctorate as a member of the ACT Bar. Advised in the areas of equity, corporations law, administrative law, land rights and native title. Clients included: National Native Title Tribunal, Corrs Chambers Westgarth, Aboriginal and Torres Strait Islander Commission (ATSIC), Registrar of Aboriginal Corporations, Central Land Council and Cape York Land Council.
- 1996–1997 **Lecturer, Faculty of Law, Australian National University**
Lectured and convened Corporations Law, Trusts, Equity and Commercial Law.
- 1994 **Associate to the Hon J Daryl Davies, Federal Court of Australia**
- 1991–93 **Legal Research Officer, Communications Law Centre, Sydney.** Legal research on print, broadcasting and telecommunications regulation.
- 1989–91 **Researcher, Prof J Habermas' Legal Theory Group, JW Goethe University, Frankfurt**
- 1988 **Research Assistant to the Director, NSW Bureau of Crime Statistics and Research**

OTHER PROFESSIONAL QUALIFICATIONS

Trusts and Estates Practitioner ('TEP'), certified by the Society of Trusts and Estates Practitioners (STEP)
STEP Advanced Certificate in Trust Disputes (2013)
Australian Bar Association Advanced Trial Advocacy Course Certificate (2014)

MEMBERSHIP OF PROFESSIONAL ASSOCIATIONS

New South Wales Bar Association
Australian Association of Constitutional Law — Convenor of the NSW Chapter (2009–2016)
Society of Trusts and Estates Practitioners (STEP)
German Australian Pacific Lawyers Association
Commercial Law Association of Australia

PUBLICATIONS AND PAPERS

Christos has published widely in professional journals, law reviews and with Federation Press in the areas of commercial law, public law and indigenous legal issues.

A list of his main publications appear on the next two pages. A number of these publications have been cited by superior courts.

LANGUAGES

Christos accepts instructions comfortably in English, German, Greek and Spanish.

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PUBLICATIONS

Indigenous legal issues

1. Mantziaris and D Martin, *Native Title Corporations – A Legal and Anthropological Analysis* (Federation Press, Sydney 2000; 400pp) ISBN 1862873720.
Cited in *Sampi v State of Western Australia* [2005] FCA 777, [948] (French J); *Gumana v Northern Territory* [2005] FCA 50; (2005) 141 FCR 457, [134]–[141] (Selway J); *Stevens v Wintawari Guruma Aboriginal Corporation RNTBC* [2016] FCA 149, [54]–[55], [60]–[61] (Barker J).
2. Mantziaris and D Martin, *Guide to the Design of Native Title Corporations* (National Native Title Tribunal, 1999) ISBN 0642421862. (A plain English version of no 12 above).
3. Mantziaris, 'The dual view theory of the corporation and the aboriginal corporation' (1999) 27 *Federal Law Review* 283.
4. Mantziaris, 'Beyond the *Aboriginal Councils and Associations Act*? Part I' (1997) 4(5) *Indigenous Law Bulletin* 10–14 and 4(6) pp, 7-13, 16.

Public law – articles and chapters

5. Mantziaris, 'The Executive – A common law understanding of legal form and responsibility' in RS French, G Lindell and C Saunders, *Reflections on the Australian Constitution* (Federation Press, 2003) ch 9.
Cited in *Williams v Commonwealth of Australia* [2012] HCA 23; (2012) 288 ALR 410, [61] (French CJ).
6. Mantziaris, 'A "Wrong Turn" on the Public/Private Distinction: *Neat Domestic Trading Pty Ltd v AWB Ltd*' (2003) 14 *Public Law Review* 197.
Cited in *Griffith University v Tang* [2005] HCA 7; (2005) 221 CLR 99, [100] (Kirby J).
7. Mantziaris, 'Client legal privilege in administrative 'proceedings' – Killing-off the adversarial/inquisitorial distinction': (2008) 82 *Australian Law Journal* 397.
Cited in *Rodsted & Repatriation Commission* [2009] AATA 658; (2009) 113 ALD 125, [133].
8. Mantziaris, 'Commonwealth judicial power for interim control orders – The Chapter III questions not answered' (2008) 10 *Constitutional Law and Policy Review* 65.
9. Mantziaris and L McDonald, 'Federal judicial review jurisdiction after *Griffith University v Tang*' (2006) 17 *Public Law Review* 22.

10. Mantziaris, 'When Government "carries on a business"/Derivative Crown immunity: *NT Power Generation Pty Ltd v Power & Water Authority*' (2004) 210 ALR 312; [2044] HCA 48' (2005) 16 *Public Law Review* 5.
11. Mantziaris, 'The Federal Division of Public Interest Suits by an Attorney-General' (2004) 25 *Adelaide Law Review* 211.
12. Mantziaris, 'The event corporation within the system of responsible government – Why SOCOG is constitutionally unhealthy' (2000) 11 *Public Law Review* 39.
13. Mantziaris, 'Ministerial directions to statutory corporations: What does a theory of responsible government deliver?' (1998) 26 *Federal Law Review* 309.

Corporate and commercial law

14. Mantziaris, 'The Member's Right to Inspect the Company Books: *Corporations Act, s 247A*' (2009) 83 *Australia Law Journal* 621.

Cited in *Smartec Capital Pty Ltd v Centro Properties Ltd & Anor* [2011] NSWSC 495; (2011) 83 ACSR 461, [66]–[67] (Barrett J); *Snelgrove v Great Southern Managers Australia Ltd (in Liq) (Receiver and Manager Appointed)* [2010] WASC 51, [66] (Le Miere J); *Mesa Minerals Ltd v Mighty River International Ltd* [2016] FCAFC 16, [22]–[24] (Siopis, Gilmour & Katzmann JJ); *In the Matter of Tolco Pty Limited* [2016] NSWSC 1069, [17]–[18] (Brereton J); *Coates v Classic Minerals Ltd* [2016] WASC 371, [42]; and *In the Matter of Sirrah Pty Limited* [2017] NSWSC 1683, [24] (Black J).
15. Mantziaris, 'Resulting Trusts' in *Trusts Law Australia: Principles and Practice*, J Armitage & A Emmett (eds) (Butterworths, loose-leaf) vol 1, ch 4.

Legal theory, legal history, political science

16. R Grundmann and C Mantziaris, 'Fundamentalism Intolerance or Civil Disobedience? Strange Loops in Liberal Theory' (1991) 19 *Political Theory* 572.
17. C Mantziaris, 'Book Review: Bruce Kercher, *Debt, Seduction & Other Disasters: The Birth of Civil Law in Convict New South Wales*' (1998) 4 *Australian Journal of Legal History* 93–102.
18. C Mantziaris, 'When the Minister Leans on the Board: The Forced Resignation of the Managing Director of Australia's Overseas Telecommunications Commission' (1997) 19 *Asian Journal of Public Administration* 157.

Other Papers

Details of other pre–2000 publications can be provided on request.

Since 2003, Dr Mantziaris has presented papers regularly at professional seminars and conferences, for example: at Legalwise Seminars, the State Legal Conference, the Commercial Lawyers Association, the NSW Bar Association, and the Gilbert + Tobin Centre of Public Law Constitutional Law Conference.