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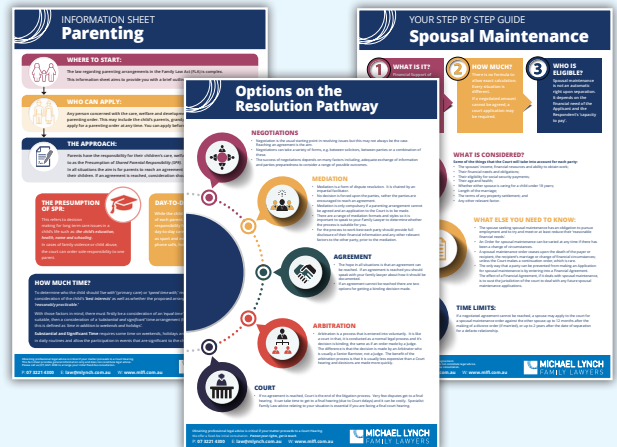
## New Infosheets "EASILY READ. REMEMBERED. SHARABLE."

We are pleased to announce the release of **new** easy to read Infosheets on parenting, resolution pathway and spouse maintenance.

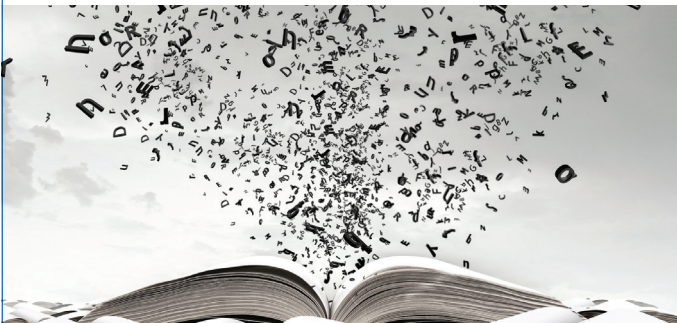
The Infosheets simplify family law jargon and make it easy for you to remember and refer to.

The Infosheets are available on our website under Publications. If you'd like a printed copy, contact Skye on (07) 3221 4300.

There are more Infosheets coming, so keep an eye out in our next edition.



## WEALTH OF INFORMATION.



Michael Lynch Family Lawyers website provides a wealth of information on the constant changes in Family Law. Here are some of our recent articles:

- 'How to' calculate a property settlement
- Considering a child's wishes in a divorce
- What is child support?
- Am I separated?
- Parenting plan v consent order
- Are you in a de facto relationship?

For these articles and more, visit our website at [www.mlfl.com.au](http://www.mlfl.com.au)

## WHAT IS THE FAMILY LAW WATCH LIST?

Separation can be a difficult time and reaching an agreement can often be complicated, especially when it involves one parent

wanting to take a child overseas for a holiday. The travelling parent's communicated intention to go on an overseas holiday may be genuine, however sometimes the parent may have a hidden agenda to not return the child and continue residing overseas.

For the other parent, this can be a stressful prospect, but if there is a risk that a child is going to be taken overseas against the parent's permission, there is something that can be done to prevent the child from leaving the country. The parent can arrange to have the child's name recorded on the Family Law Watch List.

This is a system whereby a child, whose parents are involved in family law proceedings cannot be removed from Australia without the consent of the court. The child's name will be registered with the Australian Federal Police at all international departure points. If the departing parent attempts to take the child out of the country, the child will be stopped at the airport and not allowed to leave.

Beyond this stop-gap arrangement, it is possible for the concerned parent to apply to the court to make an order that a child not travel overseas. In this situation, the court can order an injunction preventing the child from travelling, resulting in the Australian Federal Police placing the name of the child permanently on the Family Law Watch List.

It is important that if any parent suspects or is aware that the other parent wishes to take a child overseas and has concerns about this, specialist family law advice should be sought regarding the parent's particular situation.

Call Michael Lynch Family Lawyers on (07) 3221 4300 for a fixed-fee no obligation initial consultation and advice.



## ALWAYS STRIVING TO WIN.

We've had lots of exciting news at Michael Lynch Family Lawyers over the last few months and would like to share a couple of them with you.

First of all we'd like to congratulate one of our Directors, **Amy Honan** on being shortlisted as a finalist for the *Lawyers Weekly Partner of the Year Awards 2018* in the Family Law category. This prestigious and competitive awards program showcases Australia's top legal experts in various divisions of law and it's one of highlights for Amy's career. Well done Amy!

Another achievement is that of our Managing Director, **Michael Lynch**; as he has been recognised as one of *Australia's leading family lawyers* in the independent '*Best Lawyers Report 2019*'. The prestigious list, '*Best Lawyers*' is one of the most well-known and respected publications in the legal profession and is compiled from extensive peer-review surveys. Very few were selected nationally for this - so well done Michael!

To celebrate these achievements, we've now added a '**Best Lawyers' Badge** in recognition of the outstanding work of our lawyers; feel free to check it out for yourself in the footer of [www.mlfl.com.au](http://www.mlfl.com.au)

## A THREAT TO RUN DOWN THE FAMILY COMPANY - WHAT TO DO?

When a couple separates and there is a family company involved, it is common for one party to assume responsibility for the operation of the business. When this occurs, there is sometimes a risk that the party will misuse their power.

The party with control of the company may threaten to sell or otherwise deal with the assets of the company to limit the value of those assets or to reduce the asset pool, with a view of reducing the other spouse's property settlement entitlements. In those cases, the party at risk should take urgent action.

The spouse who is at risk of losing assets may apply to the court for a restraint over the actions of the party operating the company until a final property settlement can be determined.

It is important to understand that the Family Law Act provides a wide definition of "property" and that extends to cover a family company or trust.

The Family Court recently considered an application from a wife to restrain the husband from:

- Changing the Trustee of the Trusts;
- Transferring shares or issuing additional shares;
- Depositing of any property greater than \$5,000, other than in the usual course of business and only then at market value;

- Winding up or liquidating the business; and
- Encumbering the company properties.

In this case, following separation the husband continued to work and control the business entities, although the wife also continued to hold an interest in those entities. During discussions about property settlement, the husband accused the wife of being "greedy" and told her that he would wind up the company, sell assets and lease out company machinery.



Following that discussion, the wife found invoices issued by the company selling equipment for below market value. The wife also alleged that the husband had set up a new Trust to hide assets.

The court granted the injunctions sought by the wife preserving the assets, and allowing the husband to operate the business as usual, though with some conditions on notifying the wife of certain transactions.

It is important to be prepared for any possible scenario that may occur during separation. Therefore, it is important to obtain personalised and professional legal advice early.

## COUNSELLORS and ACCOUNTANTS YOU ARE INVITED TO ATTEND A PROFESSIONAL WEBINAR ON 'FAMILY LAW'



For **COUNSELLORS:**  
**Wednesday, 5th September, 2018**

Topic: "*Understanding Relocations*"



For **ACCOUNTANTS:**  
**Wednesday, 12th September, 2018**

Topic: "*Understanding Child Support*"

Contact us: **07 3221 4300 today!**