

GREENS LIST

BARRISTERS



MICHAEL FLYNN QC

SILK: 2015 | BAR ROLL: 1993 | ADMITTED: 1985

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EXPERTISE

[Appellate](#) | **[Bankruptcy Law & Insolvency Law](#) | **[Commercial Law](#)** | **[Common Law](#)** | **[Corporations Law & Securities Law](#)** | **[Equity & Trusts Law](#)** | **[International Law](#)** | **[Property Law](#)** | **[Public Law & Administrative Law](#)** | **[Tax Law & Revenue Law](#)** | **[Wills & Estates Law](#)****

PROFILE

Michael Flynn practises principally in the areas of taxation, administrative law, trusts and commercial law. He is a chartered accountant, was national president of the Tax Institute in 2014 and is the co-author of two books: *Death and Taxes* and *Drafting Trusts and Will Trusts in Australia*, both published by Thomson Reuters.

Recent examples of advice he has provided are amending trust deeds, the tax consequences of financing infrastructure projects and the application of Part IVA. He has acted for clients in relation to applications to remove a trustee, applications for freezing orders and in professional liability and contractual disputes concerning GST and income tax liabilities.

The cases in which he has appeared include the following:

- Trustee for Michael Hayes Family Trust v FCT [2019] FCA 426 (Public trading trust, rectification)
- Paule v FCT [2019] FCA 394 (CGT rollovers)
- JSJG v FCT [2019] AATA 336 (Income tax on compensation payment)

- *Aussiegolfa Pty Ltd v FCT* [2018] FCAFC 122 (Super fund sole purpose and in-house asset tests)
- *Divas Beverages Holdings Ltd v FCT* [2018] FCA 576
- *M & M Diamond Creek Pty Ltd v Commr of SR (Vic)* [2016] VCAT 2031 (Stamp duty)
- *Trustees of WT & A Norman Superannuation Fund v FCT* [2015] AATA 914 (Pt IVA and dividend washing)
- *FCT v AusNet Transmission Group Pty Ltd* [2015] FCAFC 60 (Deductions for copyright, valuation, tax consolidation)
- *FCT v Qantas Airways Ltd* [2014] FCAFC 168 (FBT)
- *IOOF Holdings Limited v FCT* (2014) 224 FCR 535 (Tax consolidation, admin law)
- *Cityrose v Booth and Kay & Burton* [2013] VSC 504 (Contractual dispute re GST)
- *DCT v Ekelmans & Ors* [2013] VSC 346 (Freezing orders)
- *Regis Investments Pty Ltd v Commr of State Revenue (Vic)* [2012] VSC 115 (Land rich duty)
- *FCT v Wentworth District Capital* [2011] FCAFC 42 (Tax exempt status of bank)
- *State Trustees v Attorney-General (Vic) and University of Melbourne & Ors* [2011] VSC 372 (Will construction)
- *Commr of State Taxation (SA) v Cyril Henschke Pty Ltd* [2010] HCA 43 (Stamp duty)
- *FCT v Word Investments Pty Ltd* (2008) 236 CLR 204 (Charitable status of a company carrying on a business)

To get in touch with Michael Flynn QC | or for more information please contact the

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