



## Michael Hodge QC

Bachelor of Arts (University of Queensland)  
 Bachelor of Laws with Honours (University of Queensland)  
 Graduate Diploma in Competition Law (University of Melbourne)  
 Master of Laws (University of Melbourne)

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Admitted to the legal profession 2004  
 Appointment as Senior Counsel 2017 (QLD)  
 Also entitled to practise in All Australian jurisdictions (Commonwealth, State and Territory)

### Principal areas of practice

|                                |  |
|--------------------------------|--|
| Appellate                      | Corporations and Securities              |
| Arbitration                    | Equity                                   |
| Banking and Financial Services | Mining, Resources and Energy             |
| Bankruptcy and Insolvency      | Public Law                               |
| Class Actions                  | Shareholder Class Actions                |
| Commercial Law                 | Trade Practices/Competition and Consumer |
| Commissions of Inquiry         | Trusts                                   |
| Constitutional Law             |  |

### Previous professional experience

- 2003: Associate to Justice Holmes of the Supreme Court of Queensland

### Awards or professional recognition

- Doyle's Guide (2018):
- Recommended Senior Counsel in Competition Law in Australia
  - Recommended Queens Counsel in Commercial Litigation & Dispute Resolution for Queensland

### Professional memberships

Competition and Consumer Committee of the Law Council of Australia  
 Bar Council of the Bar Association of Queensland  
 Corporations Committee of the Law Council of Australia  
 The Australian Association of Constitutional Law

### Additional Information

Michael practices in commercial and public law, with a focus on competition law and consumer protection, economic regulation, corporations law and financial services, and resources and commercial development disputes. He has significant experience in relation to regulatory investigations, civil penalty proceedings and liability of directors and officers.

He regularly appears in or assists with commissions of inquiry and public reviews. In 2018, Michael was one of the Senior Counsel Assisting the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry. He was also counsel assisting the Grantham Floods Commission of Inquiry in 2015 and counsel assisting the Strachan Inquiry in 2016-2017. He was retained by the Queensland Government to assist with the review of the Queensland Parole System in 2016 and the review of the Transport of Waste into Queensland in 2017.

### Professional profiles

<https://www.linkedin.com/in/michael-hodge-qc-a848b296/>

Principal practice areas and selection of recent matters**Competition law, economic regulation and consumer protection**

Some recent matters:

- *ACCC v Oakmoore Pty Ltd* [2018] FCA 1169 and *ACCC v Oakmoore Pty Ltd (No 2)* [2018] FCA 1170
- Arbitration in relation to Coal Terminal pricing (2017-2018)
- *Adani Abbot Point Terminal Pty Ltd v Lake Vermont Resources Pty Ltd & others*, Supreme Court of Queensland, SC9440/17 (2017-2018)
- *Flight Centre Ltd v ACCC (No 2)* (2018) 356 ALR 38; [2018] FCAFC 53. See also *ACCC v Flight Centre Ltd (No 3)* (2014) 234 FCR 325; [2014] FCA 292
- Counsel assisting the ACCC in its public inquiry into the Australian dairy industry (2017)
- *ACCC v Cement Australia Pty Ltd* [2017] FCAFC 159. See also: *ACCC v Cement Australia Pty Ltd* (2016) 242 FCR 389; [2016] FCA 453; *ACCC v Cement Australia Pty Ltd* [2016] FCA 968; *ACCC v Cement Australia Pty Ltd* (2013) 310 ALR 165; [2013] FCA 909
- *ACCC v Flight Centre Travel Group Ltd* (2016) 261 CLR 203; [2016] HCA 49. See also: *Flight Centre Ltd v ACCC* (2015) 234 FCR 367; [2015] FCAFC 104; *ACCC v Flight Centre Ltd (No 2)* (2013) 307 ALR 209; [2013] FCA 1313
- Advising in relation to a competitive neutrality complaint to the Queensland Productivity Commission (2015-2017)
- *ACCC v Woolworths Ltd* [2016] FCA 1472
- *ACCC v Chrisco Hampers Australia Ltd* (2015) 239 FCR 33; [2015] FCA 1204 and *ACCC v Chrisco Hampers Australia Ltd (No 2)* [2016] FCA 144
- *ACCC v Coles Supermarkets Australia Pty Ltd* [2014] FCA 1405
- *ACCC v Exclusive Media & Publishing Pty Ltd* [2014] FCA 228

**Commissions of Inquiry and Reviews**

- Senior Counsel Assisting the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry (2018-2019)
- Assisting the Investigation into the Transport of Waste into Queensland undertaken by the Honourable Peter Lyons QC (2017)
- Counsel Assisting the Strachan Inquiry into Queensland Rail's train crewing practices (2016-2017)
- Assisting the Queensland Parole System Review undertaken by Mr Sofronoff QC (as his Honour then was) (2016)
- Counsel Assisting the Grantham Floods Commission of Inquiry (2015)

**Corporations law and financial services**

Some recent matters:

- *Wilmar Sugar Australia Ltd v Mackay Sugar Ltd* (2017) 120 ACSR 1; [2017] FCAFC 40 and *Mackay Sugar Ltd v Wilmar Sugar Australia Ltd (No 2)* [2016] FCA 1179
- *Legal Services Commissioner v Reid (No 3)* [2017] QCAT 471
- *Dougherty v Macquarie Equities Limited*, Supreme Court of Queensland, SC1159/14 (2017)
- *Lake v GBST Holdings Limited*, Supreme Court of Queensland, SC2004/16, (2016-2017)
- *Mackay Sugar Ltd v Wilmar Sugar Australia Ltd* (2016) 116 ACSR 426; [2016] FCAFC 133
- *Jones v Invion Ltd (formerly CBIO Ltd)* [2015] QCA 100 and *Invion Ltd v SGB Jones Pty Ltd* [2014] QSC 097

### Regulatory investigations and proceedings

Acting for and advising regulators undertaking investigations or instituting proceedings and assisting and advising companies and individuals involved in or the subject of regulatory investigations or proceedings.

### Commercial, equity and trusts

Some recent matters:

- For the Securities and Exchange Board of India in *Kadam v MiiResorts Group 1 Pty Ltd (No 5)*; *Securities and Exchange Board of India v MiiResorts Group 1 Pty Ltd* (2018) 129 ACSR 74; [2018] FCA 1086, *Kadam v Miireorts Group 1 Pty Ltd (No 4)* (2017) 252 FCR 298; [2017] FCA 1139 and *Kadam v Miireorts Group 1 Pty Ltd (No 3)* [2017] FCA 1138
- *Mango Boulevard Pty Ltd v Mio Art Pty Ltd* [2018] QCA 039 and *Mango Boulevard Pty Ltd v Mio Art Pty Ltd* [2018] 1 Qd R 245; [2017] QSC 087
- *Stroppiana v Mackay Sugar Ltd* [2017] QSC 217
- Arbitration concerning the valuation of land based on residual value methodology for a masterplanned residential community (2013-2017)
- *Qube Logistics (Qld T3) Pty Ltd v Mackay Sugar Limited*, Supreme Court of Queensland, SC6580/16 (2015-2017)
- *Gordon Corporation Pty Ltd v Helensvale Property Development Pty Ltd*, Supreme Court of Queensland, SC1440/15 (2015-2016)
- *Melisavon Pty Ltd v Springfield Land Development Corp Pty Ltd* [2015] 1 Qd R 476; [2014] QCA 233 and *Melisavon Pty Ltd v Springfield Land Development Corp* [2015] HCATrans 86

### Selected presentations and publications

- “Practising in the Federal Court”, *Queensland Bar Practice Course* (2010-2018)
- “Indemnity Clauses and Dispute Resolution Clauses”, *Australian Mining and Petroleum Law Association*, Queensland State Conference (2017)
- “Procedural fairness – adverse findings” at the *Queensland Bar Association’s Annual Conference* (2017)
- “Market-based causation”, *Governance Institute Australia* (2016)
- “Misuse of market power: A discussion of section 46” at the *Queensland Law Society’s Masterclass: Competition and Consumer Law* (August 2016)
- “Small businesses behaving badly: Consumer law update”, *Queensland Law Society Symposium* (March 2016)
- “Australian Consumer Law: Advising on misleading or deceptive conduct and unconscionable conduct cases”, *Queensland Public Interest Law Clearing House seminar* (2014)
- “The big question for the Harper Review”, Law Council of Australia’s *Rising Stars’ Competition Law Workshop* (2014)
- “Competition and consumer law: Major issues and implications”, *Queensland Law Society Symposium* (March 2012)
- “An Overview of the new Australian Consumer Law”, *Women in Insurance Educational Breakfast* (2011)
- “The ABCs of an ACCC oral examination: how to prepare yourself and your client” (2011) 31(8) *Proctor* 16
- “Overview of the Australian Consumer Law”, *Queensland Law Society* (March 2011)
- “Enforcing Foreign Judgments in Australia and Australian Judgments in Foreign Jurisdictions” (2004) 24(2) *Proctor* 27 (with Kylie Downes)
- Legal Editor of the Caxton Legal Centre’s *Queensland Law Handbook* (2004, 8<sup>th</sup> Edition)