Capability Statement

Corporate and Commercial Law

Bennett

LITIGATION AND COMMERCIAL LAW



Who you need when it matters.

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Foreword

I am pleased to introduce Bennett's corporate and commercial capabilities to you.

When a client enters into a relationship with Bennett, we place your business and your legal issues at the forefront of everything we do, drawing on our strong internal pool of expertise to deliver you the best commercial outcomes. We work together on a taskforce basis on all of our matters, bringing together a cohesive and dedicated team of legal practitioners focused on achieving your desired commercial outcome.

Our corporate and commercial practice is informed by our heritage. As Western Australia's leading litigation and dispute resolution firm, we know first-hand how transactions are tested when relationships break down, and we structure deals, draft contracts and allocate risk so they hold up.

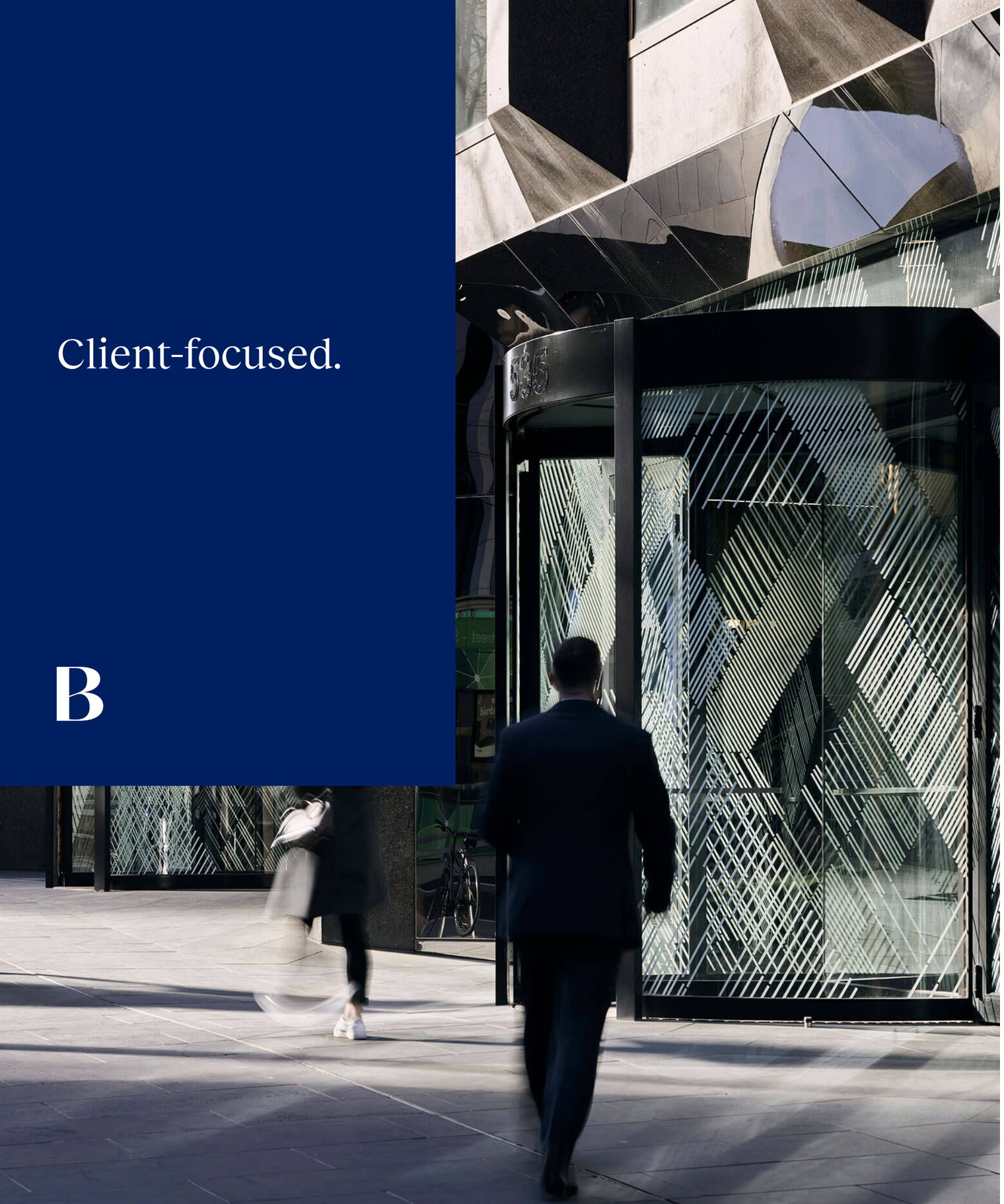
The enclosed capability statement sets out our corporate and commercial expertise and the team who deliver it.

If you have any questions concerning this capability statement, please contact me or Matthew Barone, Head of Corporate and Commercial.

Kind regards

Nathan Ebbs
Managing Principal

Client-focused.



Our Corporate and Commercial team advises on the transactions, structures and arrangements that shape organisations, from formation through to investment, growth and exit. We partner with you at every step to close transactions, manage risk and realise value.

Bennett is one of Western Australia's largest, independent law firms, with a team of approximately 90 people. We are the State's leading litigation and dispute resolution practice, and we bring that heritage to every transaction we advise on.

Because we know how deals are tested when relationships break down, we approach every transaction with the end in mind: due diligence focused on the issues that matter, structures that anticipate stress, and documents drafted to hold up. Our experience on both sides of the table – advising on transactions and litigating them – means we understand the commercial pressures on all parties, and how to allocate risk in a way that gets deals done.

Our senior lawyers are directly involved in every matter. We run streamlined, principal-led teams, and we work on a taskforce basis, drawing intellectual property, employment, real property, construction and disputes expertise into the deal team as your matter requires, so the right expertise is on the job, working as one team.

We act for emerging and established businesses, boards, founders, investors and advisers across diverse industries, including energy and resources, agribusiness, logistics and industrial, defence, property development, technology and professional services.



Private Business Acquisitions and Sales

We represent buyers and sellers on share, asset and business transactions, management buy-outs, and exit and succession strategies.

We advise throughout the full transaction lifecycle, from structuring and due diligence, through negotiation and documentation, to implementation and integration.



Energy and Resources Transactions

We advise energy and resources companies, investors and industry participants on corporate, commercial and transactional matters, including mergers and acquisitions, capital raisings, farm-ins and farm-outs, joint ventures and strategic investments.

We also advise on tenement dealings and due diligence, offtake and royalty arrangements, and mining services agreements.



Equity Capital Markets

We advise listed and emerging companies, boards, lead managers and underwriters on equity capital markets transactions, including IPOs, backdoor listings and secondary capital raisings (placements, rights issues and share purchase plans), managing ASX and ASIC engagement throughout.

We also advise on ASX Listing Rules compliance, waivers and queries.



Private Equity and Venture Capital

We represent sponsors, founders, portfolio companies and management teams on acquisitions, raisings, investments, divestments and exits.

We structure transactions and advise on shareholder arrangements, management equity and governance across the life of the investment, from initial deployment through to exit.



Public Mergers and Acquisitions

We advise bidders, targets and boards on control transactions for listed and widely held companies, including takeovers and schemes of arrangement, and act in contested situations: bid response, shareholder engagement and Takeovers Panel proceedings.



Company Secretarial Services

We provide company secretarial support for private, public and listed entities, including ASIC and ASX lodgements, board and shareholder meeting support, maintenance of corporate records and ongoing company administration.



Real Property

We advise on acquisitions and disposals of freehold and leasehold interests, commercial leasing including agreements for lease, and sale and leaseback arrangements.

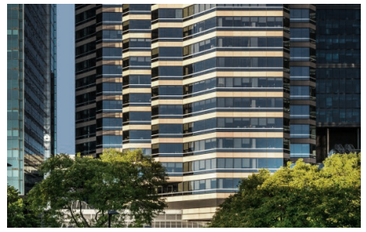
We also advise on the property aspects of corporate transactions, including title due diligence, easements and tenure matters.



Commercial Contracting

We draft, negotiate and advise on commercial contracts, including supply and procurement arrangements, distribution and licensing agreements, technology agreements, and terms and conditions of trade.

We also advise on contract risk management and Australian Consumer Law compliance, including the unfair contract terms (UCT) regime.



Joint Ventures, Alliances and Partnerships

We act for joint venture parties on the establishment, structuring and documentation of commercial partnerships, alliances and strategic collaborations, including shareholders' agreements, joint venture agreements and other governance instruments that allocate risk so the venture holds up over its life.



Corporate Advisory and Business Structuring

We provide practical, strategic guidance to companies, not-for-profits, boards, management and shareholders on business structures, employee and management incentive arrangements, capital management (including buy-backs and capital reductions), restructurings and demergers.



Governance and ESG

We advise boards, directors and officers on their duties, governance frameworks and constitutional matters, and shareholders on their rights, including meetings, resolutions and board and control contests.

We also advise on ESG and sustainability governance, including the National Greenhouse and Energy Reporting (NGER) scheme, climate-related financial reporting and modern slavery reporting.



Corporate Compliance and Regulatory Matters

We advise on Corporations Act and ASX Listing Rules compliance, including ASIC waivers and relief applications, and on regulatory approvals, including FIRB and ACCC merger clearance.

Leading a united front.





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