



MICHAEL MANETTA
Barrister

Edmund Barton Chambers

72 Wright Street Adelaide
SA 5000
T (08) 8216 0560
F (08) 8231 5295

mmanetta@edmundbarton
chambers.com.au

AREAS OF PRACTICE

- Commercial
Equity & Trusts
Company & Insolvency
- Trade Practices
Intellectual Property
- Professional Negligence
Disciplinary & Inquests
Administrative
- Tax & Stamp Duties
- Admiralty & Maritime
Constitutional
Military

PROFILE

Tennyson Medal for English Literature (1982)
State Prize for Classical Studies (1982)
Universities of Adelaide and Oxford
First in Elements of Law (1983)
R.W. Bennet Prize (1983)
First in Contract Law (1984)
First in Law of Trusts (1985)
First in Roman Law (1986)
First Class Honours (Adel: 1987)
Honours Dissertation ranked first
David Murray Prize (1987)
Knox & Hargrave Law Scholar (1989)

Associate to the late Justice J.M. White
Supreme Court of South Australia (1987)
Admitted to the Bar (1988)
Solicitor (Tax & Commercial Litigation)
Minter Ellison (1988-1995)
Signed Bar Roll (1995)

SAMPLE CASES

Southwest Queensland Gas Price Arbitration
private arbitration of price of gas delivered to SA
from SWQ

Amarantos Shipping Co. v South Australia (FC)
Maritime collision – merchant shipping –
limitation of liability - constitutional aspects
negligence of harbor authorities

Cabal v United Mexican States (Fed Ct)
Extradition – complex banking and money
laundering offences

Al Khafaji v DIMIA (HC)
Refugee – indefinite detention

Behrooz v Morrison (HC)
Refugees - punitive detention

S & M v MIMIA (Fed C)
Refugees – negligence of detention authorities
mental injury

Gibbons v Pozzan (FC & HC)
Validity of guarantee – execution of deeds
company law; constitutional aspects

Merrell Associates v Qld Nominees (FC)
government takeover of superannuation trust -
validity of mortgage - priority agreements –
contract frustration, third party benefits and
constitutional aspects

NP Generations Pty Ltd v Feneley (FC)
Southern Real Estate v Dellow (FC)
breach of confidence - misuse of client lists
scope of duty – measure of damages

Angas Law Services v Carabelas (FC & HC)
liquidation – preferences - alleged breach of
directors' duties over a period of years complex
reconstruction of accounts ratification

Knox & Hargrave v Fullston (DC)
professional negligence by solicitors in conduct of
complex litigation

Australian Education Union v Dept of Education
(FC)
statutory error – recovery of arrears of long
service leave entitlements spanning 40 years

Krakos Investments Pty Ltd v FCT (Fed C)
CGT on licensed premises – nature of goodwill

Woolcombers (WA) Pty Ltd v FCT (Fed C)
transfer of group losses

Craminster Pty Ltd v Commissioner of Stamps
stamp duty - collateral securities
old-style mortgage

*VSB Quota Pty Ltd v Commissioner of State
Taxation*
duty on fishing licences – extraterritoriality

Thai v Police
extraterritoriality - separation of powers

Gilchrist v Downs (FC & HC)
medical negligence – failure to warn of risks of
surgery

Re Logue & ors
court martial – assault among brawling sailors
head injury – automatism

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APPOINTMENTS

Constitutional Advisory Council of SA (1993)
Guest Lecturer (Torts & Restitution)
Adelaide Law School (1996)
Lieutenant, Royal Australian Naval Reserve (2002)
Board of Examiners, Supreme Court of SA (2008)
Board Member SOS Children's Villages (Aust) Inc.
(2009)

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RECENT PAPERS

Donoghue v Stevenson – An Historical Overview
South Australian Legal Convention 2007

Sovereignty in the Australian Federation
19th Conference of the Samuel Griffith Society
2007