

Consolidated Index: L

Contains Ampla
Yearbooks (YB) 1993-2004
Bulletins (B) 1994-1996
Journals (J) 1997-2004

Labour covenants, B96.138

Land

Aboriginal, *see* **Aboriginal land**
access
 agreements, YB96.119
 restrictions, YB96.204-206
access to, YB02.121
categorisation, YB96.205
compulsory acquisition of, YB02.121-122
Crown grants, YB02.103, YB02.108
estate in, YB02.214
grants, YB02.135
 validity of, YB02.111
interest in, YB02.213
lease of, YB02.120
 mining, *see* **Mining lease**
 pastoral, *see* **Pastoral lease**
Land and Environment Court (Qld), J04.226-227
land rich regime (Vic), J04.132-133
low impact future act, YB02.121
multiple land use, YB96.205
native title, *see* **Native title rights; Aboriginal rights; Native title**
 title to, *see* **Land title**
“occupied”, YB96.206
 use of, YB02.120-121

Land Acquisition (Native Title) Amendment Bill 1994 (SA), B94.146

Land and Resources Tribunal

jurisdiction, J04.275-289
 condition precedent, J04.278-288
 criteria for allowing determination of, J04.287-288
 non-extinguishment of native title, J04.278-281
 power to determine, J04.282-287
nature of, J04.275-276

Land Councils, YB02.112

community, YB02.112
 legal proceedings by, YB02.112

Land Resources Tribunal (Qld)

appeals, J99.77
constitution, J99.75-76, J99.78-81
directions, J99.76
establishment, J99.71
indigenous issues referees, J99.74
jurisdiction, J99.71, J99.72
mediation referees, J99.74
members, J99.72-75
mining referees, J99.71, J99.74
Mining Warden’s Court, replacing, J99.71
native title jurisdiction, J99.71
NNTT panel, J99.75, J99.81
non-presiding members, J99.73-75
panels, J99.76

- powers, J99.76
- practice and procedure, J99.76-77
- presiding members, J99.72-73
- referrals, J99.77
- registrar, J99.75
- representation of parties, J99.77

Land title

- Aboriginal, *see* **Aboriginal land; Native title**
- Canada, in, YB02.213-214, YB02.217-220, YB02.239
- Crown, YB02.103
 - grants by, YB02.103, YB02.108
 - land, YB02.108, YB02.109
- native, *see* **Native title**
- possessory rights, YB02.108
- tenure, YB02.103, YB02.104
 - validity of, YB02.191, YB02.200-201

Land (Titles and Traditional Usage) Act 1993 (WA), YB94.17

- application for grant of title, B94.39
- assent to Act, B95.99
- commencement, B94.12, B94.38
- Commonwealth Act, inconsistency with, YB94.83
- compensation, B94.38-39, YB94.44
- extinguishment of native title, B94.126
- extinguishment provisions, YB94.42, YB94.43
- future titles, B94.127-129
- introduction to House of Assembly, B95.24
- main features of, YB94.41
- native title, definition, YB94.41
- Preamble, YB94.17
- Racial Discrimination Act*, application of, YB94.45
- relationship with Commonwealth Act, B94.38, B94.39
- rights of traditional usage, YB94.43
 - declarations of, YB94.43
 - mining tenement, objection on ground of, YB94.47
- “traditional usage” rights, B94.38
- validation of titles, B94.38, B94.126-127
- validity, B94.12, B94.126

Land (Titles and Traditional Usage) Act 1993 (WA)

- inconsistent with Racial Discrimination Act, B95.108-109, B95.243-244
- invalid, B95.102-105, B95.108-112

Land (Titles and Traditional Usage) Regulations 1993 (WA)

- amendment by Land (Titles and Traditional Usage) Amendment Regulations 1994
 - commencement, B94.62
- commencement, B94.12

Landholders’ rights

- amendment of NSW legislation, J99.106
- compensation, J99.106
- objection to mining lease where improvements to land, J99.208-210
- notice of mining lease applications to, J99.106
- penalty provisions, J99.107
- readvertising mining lease application to protect, J99.268-269
- “unknown landholders”, compensation to, J99.106

Lange case, YB03.556-558

Lardil

- permit, validity of, YB02.181-183
 - establishment of native title, YB02.182
- registered native title claimants, YB02.182
 - statutory rights of, YB02.182

Lavarch Committee, YB96.357

Lease

liability for environmental damage, YB93.11
mining
conditions, YB93.67

Lease agreement

letter of intent, YB02.15
enforcement of, YB02.15
negotiation of, YB02.15
terms, YB02.15

Leases

receivers and managers, YB03.135

Legal precedent, YB04.79

Legal professional privilege

dominant purpose test, YB04.91
foreign lawyers, communications with, YB04.97-8
High Court treatment of, YB04.90-1
nature of, YB04.90
third party communications, YB04.91-2
United States developments, YB04.95-6

Legislative frameworks for petroleum development, YB97.246-285

bankability of, YB97.286-296
Bank group's petroleum sector investments, YB97.283-285
Dai Hung - *see* Dai Hung
disputed areas, YB97.293
essential elements, YB97.249-262
access to land, YB97.261
arbitration, YB97.262
competent authority, YB97.250
definitions, YB97.260
duties, YB97.254
environmental protection and safety, YB97.259
fiscal stabilisation, YB97.258
natural gas development, YB97.260
petroleum agreements, YB97.252
petroleum operations, YB97.252
qualifications, YB97.253
regulations, YB97.253
rights, YB97.254
state property in petroleum, YB97.249
taxation
duties and exchange controls, YB97.257
profits, of, YB97.255
unitisation, YB97.261
extraterritoriality, YB97.293
foreign investment, YB97.247
model contracts, YB97.273-281
cost recovery and expenses, YB97.277
declaration of discovery, YB97.276
environmental protection, YB97.279
fees and bonuses, YB97.279
joint management committee, YB97.277
minimum work obligations, YB97.275
production shares, YB97.277, YB97.279
relinquishments, YB97.276
requisition, emergency, YB97.280
rights, YB97.275
standard provisions, YB97.273-281
supply of domestic market, YB97.280
taxation and duties, YB97.278
training of personnel, YB97.281
types in use, YB97.274

- objectives
- host country's, YB97.249
 - international oil companies', YB97.252
- regulations, YB97.262-273
 - agreements, YB97.266
 - assignment of rights, YB97.270
 - competent authority, YB97.263
 - environmental protection, YB97.271
 - exploration period, YB97.267
 - financial regime, YB97.268-270
 - land use, YB97.271
 - licensing, YB97.263
 - miscellaneous provisions, YB97.272
 - model forms, YB97.273
 - operations, YB97.266
- risk, legal, YB97.293
- zones of co-operation, YB97.293
- Legislative power**
 - abdication, YB96.331
 - manner and form requirements, YB96.331-332
- Lenders' liability**, YB93.11, YB93.56
 - contractual clauses
 - "as is" clause, YB93.23
 - compliance with environmental requirements, YB93.21, YB93.28-29
 - due diligence, YB93.26-28—*see also* **Due diligence**
 - environmental audits, YB93.29—*see also* **Environmental audits**
 - hazardous materials, YB93.21, YB93.28
 - indemnity, YB93.24-25—*see also* **Indemnity**
 - inspection, YB93.29
 - insurance, YB93.30—*see also* **Insurance**
 - notification, YB93.26—*see also* **Notification**
 - no notice of breach or litigation, YB93.22
 - permits, YB93.22-23
 - release clause, YB93.23-24
 - remediation, YB93.25-26—*see also* **Remediation**
 - rescission, YB93.30-31—*see also* **Rescission**
 - underground improvements, YB93.21
 - environmental protection
 - Rio Summit policy, YB93.58
 - precautions, YB93.17-33
 - conditions, YB93.19-20
 - due diligence—*see* **Due diligence**
 - environmental audits, YB93.29
 - indemnity, YB93.24-25
 - insurance—*see* **Insurance**
 - warranties, YB93.19-33
 - trends
 - Australia, YB93.14-16
 - Europe, YB93.12-13
 - United Kingdom, YB93.13
 - United States, YB93.13-14
- Letter of intent**
 - enforcement of, YB02.15
 - lease agreement, for, YB02.15
- Letters of comfort**
 - construction, YB04.549
 - definition, YB04.546
 - difficulties with, YB03.111
 - false and misleading statements, YB04.559-60
 - Gate Gourmet* decision, YB04.552-60

- guarantee, distinguished, YB04.547
- identity of parties, problems establishing, YB04.558
- intention to create legal relations, YB04.557–8
- non-enforceability, YB04.547–8, YB04.551–2, YB04.560
- privity of contract, YB04.559–60
- project finance, YB03.111–112
- promissory statements and obligations, YB04.549–51, YB04.557
- purpose, YB03.111, YB04.546–8

Lex specialis, YB96.125

Liability

- apologies and, J00.220–224
- company, of
 - common law, at, YB95.221–222
 - defences, YB95.224, YB95.227, YB95.228, YB95.229, YB95.230–231
 - due diligence, YB95.235–237
 - direct, YB95.222
- compensation, for, *see* **Compensation**
- damages, for, *see* **Damages**
- employer, where employee exposed to noxious fumes, J99.114–115
 - New South Wales, in, YB95.225–229
 - Queensland, in, YB95.223–225
 - South Australia, in, YB95.223–225
 - Tesco Supermarkets v Natrass*, principle in, YB95.222, YB95.224, YB95.227, YB95.231
 - vicarious, YB95.222–223
 - Victoria, in, YB95.225–229
 - Western Australia, in, YB95.229–231
- environment protection legislation, under
 - company, YB95.189–191
 - corporate officers, YB95.183, YB95.184
 - corporate officer, interpretation, YB95.184–186
 - joint venture agreements, in, YB95.187–189, YB95.195
 - offences by company, for, YB95.187
 - director of company, YB95.182
 - joint venture
 - corporate officers, of, YB95.187–189, YB95.195
 - partners, of, YB95.182
- exclusion clauses, *see* **Exclusion clauses**
- Gascor, J99.91, J99.93
- insurance, J99.50–53
- insurance and admissions of, J00.221–222
- insurance against—*see* **Insurance**
- joint venture, corporate criminal liability in
 - incorporated, where, YB95.234–235
 - unincorporated, where, YB95.232–234
- limitation clauses, *see* **Limitation clauses**
- limitation of, YB02.442, YB02.444
- occupational health and safety legislation, under
 - corporate officers, YB95.205–208
- offshore units
 - limitation, J99.25
 - pollution, for, J99.25
- public bodies, of, *see* **Public bodies**
- public officer, of, *see* **Public officer**
- solicitor’s professional liability, J99.173–176
- statutory corporation, immunity, J99.205–206
- transfer of, YB02.444
- utility failure, J99.42–53
- VENCorp, J99.91, J99.93

Licence; Licences—*see also* **Exploration licences, Mineral development licences, Prospecting licences, Pollution control licences**

- access regimes, YB03.593–594
- “fit and proper person” test, B96.139–148
 - Bond Media case, B96.140–141
 - Creswick Resources NL, B96.146–147
 - Croft, B96.144–145
 - Morgan and Taylor, B96.143
 - Pyrenees Mining Co NL, B96.143–144
 - Rimlex Mining NL/March Mining Pty Ltd, B96.145–146
- land outside boundary, right to enter, explore and gather information, YB03.583–599
 - legislation, YB03.588
 - Santos Ltd v Minister for Minerals & Energy*, YB03.584–588
- mining, YB93.329, YB94.315—*see also* **Tailings**
- profit a prendre, B94.21–22
 - technology
 - legislation evolving with, YB03.594
 - surveys, YB03.595–598

Limitation clauses

- consequential loss, for, YB02.448-449
- drafting of, YB02.460-461
- exclusion of, YB02.451
- interpretation of, YB02.445-451
- liability, for, YB02.444
- negligence, for, YB02.447-448
- terms of, *see* **Construction of terms**

Listings

- acquisition of control, YB02.321
 - compulsory acquisition, YB02.321
 - schemes of arrangement, YB02.321
 - takeovers, YB02.321

Liquidation

- insolvent resource company, YB99.153-155
- nature of remedy, YB99.153-154
- procedure, YB99.153-154
- usefulness of remedy, YB99.154-155

Liquefied Natural Gas (LNG)

- arbitrage and swap opportunities, YB04.350–1
- Asia Pacific market, YB04.322–4, YB04.340–1
 - changing environment, YB04.347
 - China, YB04.345
 - emerging buyer countries, YB04.345–6
 - Japan, YB04.324–6, YB04.355
 - net-back pricing, YB04.346–7
 - North America, YB04.345, YB04.346–7
 - recent developments, YB04.345
 - traditional buyers, responses to change, YB04.347–8
- destinations
 - freedom, YB04.350–1
 - review of, YB04.330–2
- excess purchase commitments, diverting, YB04.350
- freight on board (FOB) purchases, YB04.349
 - flexibility, YB04.349–50
 - transportation margin, YB04.349
- maritime transportation, YB04.282–3
 - pre-conditions, YB04.331
- market expansion, YB04.323
- North West Shelf Project, YB04.321–2
 - Japan, contract with, YB04.322, YB04.324–5
- pricing, YB04.333–5, YB04.340–1, YB04.344–5
 - buyer financial stability, YB04.351–2
 - net-back, YB04.346–7

- price reviews, YB04.336–7
- traditional buyers, YB04.398
- quantity, YB04.328–30
 - annual contract (ACQ), YB04.343
 - downward tolerance (DQT), YB04.329–30, YB04.343A
 - excess capacity, YB04.344
 - buyers seeking priority, YB04.355
 - flexibility, buyers seeking additional, YB04.352
 - take-or-pay and make-up, YB04.344, YB04.352
 - risk, mitigation of, YB04.353–5
 - upward tolerance (UQT), YB04.329–30, YB04.343–4, YB04.349–50
- sale and purchase agreements, YB04.342
 - breaches, YB04.353–4
 - buyers and transportation commitments, YB04.339–40
 - “change of circumstances”, YB04.337–9
 - “confer in good faith” clauses, YB04.327
 - damages for breaches, YB04.353–4
 - destination restrictions, review of, YB04.330–2, YB04.350–1
 - flexibility and certainty, dichotomy, YB04.326–7, YB04.352
 - pricing, YB04.333–7, YB04.344–5
 - quantity, YB04.328–30
 - shorter terms, YB04.328, YB04.348–9
 - sources of supply, diversity in, YB04.332–3
 - “substantial hardship”, YB04.338–9

Liquor Licensing Tribunal (WA)

bias, B95.4–6

Litigation

cost, YB03.14
inefficiency, YB03.14

Local environment plan (NSW)

Direction to prepare draft plan

- application of Direction to prepare draft plan, B95.95
- consultation requirements, B95.96–97
- extent of application of Direction, B95.95–96
- form of Direction, B95.97–98
- s 65 certificate, B95.97

Local government

environmental responsibility, YB93.412

Logging companies

quarries, use of (Tas), J00.8

London Court of International Arbitration (LCIA)

rules, YB03.35

Longford case

background, YB03.567–569
decision in, YB03.571–579
facts of, YB03.567
history of proceedings, YB03.569–570
issues to be determined, YB03.570
Longford explosion and subsequent gas supply interruption, YB03.569
public utility providers, consequences for, YB03.579–581